



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

Action Minutes City Council

Tuesday, June 4, 2019

7:00 PM

Council Chambers

CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Council Member Márquez

ROLL CALL

Present: 7 - Council Member Francisco Zermeno, Council Member Elisa Marquez, Council Member Al Mendall, Council Member Sara Lamnin, Council Member Aisha Wahab, Council Member Mark Salinas, and Mayor Barbara Halliday

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 5:30 p.m., concerning three items: 1) public employment pursuant to Government Code 54957 regarding the City Attorney's annual evaluation; 2) conference with legal counsel pursuant to Government Code 54956.9(d)(1) regarding the AGG, et al. v. City of Hayward, et al., United States District Court Case No. 4:19-cv-00697 DMR; and 3) conference with real property negotiators pursuant to Government Code 54956.8 regarding City Center, 22300 Foothill Boulevard, Hayward, APNs: 415-0250-112-00, 415-0250-111-02 and 415-0250-113-00. Mayor Halliday reported there was no reportable action related to Item 1 and City Attorney Lawson indicated there was no reportable action related to Items 2 and 3.

PRESENTATION

Elder Abuse Awareness Month

PUBLIC COMMENTS

Mr. Jim Drake
Ms. Alicia Lawrence
Mr. Charlie Peters
Mr. Frank Runninghorse

CONSENT

Approval of the Consent Calendar

A motion was made by Council Member Mendall, seconded by Council Member Márquez, to approve the Consent Calendar. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

1. [Minutes of the Special City Council Meeting on May 14, 2019](#)

Consent item approved.

2. [Adoption of an Ordinance Amending the Zoning Map and Chapter 10, Article 1 \(Zoning Ordinance\) and Article 2 \(Parking Regulations\) of the Hayward Municipal Code Related to a Comprehensive Update of Industrial District Regulations](#)

Consent item approved.

3. [Adoption of an Ordinance Amending Chapter 10, Article 1 \(Zoning Ordinance\) of the Hayward Municipal Code by Rezoning Certain Property to Planned Development District in Connection with Zone Change and Vesting Tentative Map Application No. 201603891 to Accommodate 19 Single-Family Homes at 29080 Fairview Avenue](#)

Consent item approved.

4. [Authorization for the City Manager to Execute a Three-year Agreement with the Alameda County Probation Department for Delinquency Prevention Network \(Local Service Center\) Services Provided by the Hayward Police Department's Youth and Family Services Bureau and Appropriation of \\$237,500 Annually, for a Total of \\$712,500](#)

Consent item approved.

5. [Authorize the City Manager to Execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. and Appropriate \\$150,000 from the Measure BB, Fund 212 for Completion of the Hayward Boulevard Safety Improvements Feasibility Study](#)

Consent item approved.

6. [Adoption of a Resolution Approving an Adjustment to the Bid Process Schedule for the Trash Capture Device Installation on Arf Avenue](#)

Consent item approved.

WORK SESSION

7. [Hayward Police Department 2018 Year-End Report \(Report from Police Chief Koller\)](#)

Information only.

LEGISLATIVE BUSINESS

8. [Approval of Actions Necessary for the City of Hayward to Enter into a Purchase and Sale Agreement with 37 Hayward, LLC for Purchase of the City Center Tower Property Located at 22300 Foothill Boulevard for a Purchase Price of \\$5,200,000 and Up to an Additional \\$100,000 in Associated Costs \(Report from Deputy City Manager Ott\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Salinas, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

PUBLIC HEARING

9. [Adopt Resolutions to Approve the Engineer's Report, Reconfirm Base Maximum Assessment Amount, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Special Revenue Funds for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 16, for Fiscal Year 2020 \(Report from Maintenance Services Director Rullman\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Márquez, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

10. [Adopt Resolutions to Approve the Engineer's Report, Reconfirm Maximum Base Assessment Rate, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Revenue Funds for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane - for Fiscal Year 2020 \(Report from Maintenance Services Director Rullman\)](#)

A motion was made by Council Member Zermeno, seconded by Council Member Marquez, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

11. [Adopt Resolutions to Approve the Engineer's Report, Reconfirm Maximum Base Assessment Rate, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Revenue Funds for Maintenance District No. 2 - Eden Shores Storm Water Buffer and Facilities, for Fiscal Year 2020 \(Report from Maintenance Services Director Rullman\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Márquez, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

12. [Public Hearing to Consider the Formation of Benefit Zone No. 17 of the Consolidated Landscaping and Lighting Assessment District No. 96-1 for the Parkside Heights Property \(Report from Development Services Director Simpson\)](#)

A motion was made by Council Member Mendall, seconded by Council Member Lamnin, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

13. [Public Hearing to Consider the Formation of Benefit Zone No. 18 of the Consolidated Landscaping and Lighting Assessment District No. 96-1 for the SoHay Properties \(Report from Development Services Director Simpson\)](#)

A motion was made by Council Member Mendall, seconded by Council Member Lamnin, to approve staff's recommendation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

COUNCIL REFERRALS

14. [Consider an Item for Discussion on a Future City Council Agenda Regarding Officer Involved Use of Deadly Force Being Subject to an Independent Investigation](#)

A motion was made by Council Member Wahab, seconded by Council Member Márquez, to approve the referall memorandum with one modification, that the Agustin Gonsalez's case be the first case subject to an independent investigation. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

ADJOURNMENT

Mayor Halliday adjourned the meeting at 11:44 p.m. in memory of Ms. Priscilla Robertson and Ms. Kimberlee Burks.

NEXT MEETING, June 18, 2019, 7:00 PM