



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, February 7, 2017

7:00 PM

Council Chambers

CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Council Member Mendall

ROLL CALL

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

CLOSED SESSION ANNOUNCEMENT

Mayor Halliday announced the Council convened in closed session pursuant to Government Code 54957 concerning the City Clerk's performance evaluation, and noted there was no reportable action taken.

City Attorney Lawson also announced the Council convened in closed session pursuant to Government Code 54956.9 regarding pending litigation of Maher/Goodfellow Top Grade Construction Co. v. City of Hayward, et al., Alameda County Superior Court No. HG 14747979; and noted the Council had unanimously approved resolution of the case with the release of \$1.4 million in retention and the City will retain \$1.5 million in contract funds which can be used for phases II and III of the Route 238 Corridor Improvement Project.

PUBLIC COMMENTS

Ms. Wynn Grcich
Mr. Glenn Kirby
Mr. Jim Drake

CONSENT

Consent Item No. 3 was removed for separate vote and to allow public comment.

Approval of the Consent Calendar

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

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

1. [Minutes of the City Council Meeting on January 17, 2017](#)

Consent Item approved.

2. [Transmittal of the Annual Mitigation Fee Act Report \(AB 1600\)](#)

Consent Item approved.

3. [Adoption of a Resolution Authorizing the City Manager to Execute an Amendment to the Agreement with CSG Consultants, Inc., for Development Review Services in the Planning Division for an Amount not to Exceed \\$425,000](#)

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

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

4. [Trash Capture Device Installation on Patrick Avenue: Approval of Plans and Specifications, and Call for Bids](#)

Consent Item approved.

5. [Revisions to the Council Member Handbook](#)

Consent Item approved.

PUBLIC HEARING (Next Page)

6. [Appeal by the Hayward Area Planning Association of the Planning Commission's December 15, 2016 Approval of the Maple & Main Mixed-Use Project and Related Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. The project includes 192 Market-Rate Apartments, 48 Apartments Affordable to Very Low Income Households, Rehabilitation of a 48,800 Square-Foot Medical Office Building, and Approximately 5,500 Square-Feet of Retail Space, Located Generally Within the Block Bounded by A Street, Main Street, McKeever Avenue and Maple Court in Downtown Hayward; Bay Area Property Developers, LLC and Klein Financial Corp \(Applicants/Owners\) \(Report from Development Services Director Rizk\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Mendall, to approve staff's report with the following amendments: move the retail to Maple Court; the project proponent will make a one-time contribution in the amount of \$10,000 to the proposed project's pedestrian-related impacts at the A Street and Main Street intersection; the existing large redwood tree is to be preserved on site or transplanted to another site in the area, and if preservation proves infeasible a total \$75,000 contribution shall be made to the A Street and Main Street crossing improvements. The motion carried by the following vote:

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

The City Council took a recess at 10:38 p.m., and reconvened the meeting at 10:43 p.m.

7. [Sustainable Groundwater Management Act \(SGMA\): Formation of a Groundwater Sustainability Agency under SGMA \(Report from Director of Utilities & Environmental Services Ameri\)](#)

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

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

ADJOURNMENT

Mayor Halliday adjourned the City Council meeting at 11:08 p.m., in memory of Melissa Fryer.

NEXT MEETING, February 21, 2017, 7:00 PM