



CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541
Council Chambers and Zoom
<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXJBckdmQT09>
Tuesday, April 2, 2024, 7:00 p.m.

The City Council meeting was called to order by Mayor Salinas at 7:02 p.m. The City Council held a hybrid meeting in the Council Chambers and virtually via Zoom.

Pledge of Allegiance: Council Member Bonilla Jr.

Present: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche, Syrop, Zermeño
MAYOR Salinas
Absent: None

CLOSED SESSION

The City Council convened in closed session at 5:30 p.m., with all members present and no public speakers, regarding the City Attorney's annual evaluation pursuant to Government Code section 54957. Mayor Salinas announced the Council met regarding the item and took no reportable action.

PUBLIC COMMENTS

Beatrice Morales, Carpenters Local Union 713 representative, voiced the values of Carpenters Local Union 713, emphasizing the importance of fair wages, medical and retirement benefits, and commitment to apprenticeship programs.

Paul Taylor, Rental Housing Association (RHA) Executive Director, highlighted the role of RHA in providing information, advice, and education to members, and its efforts to resolve issues between housing providers and Eden Council for Hope and Opportunity (ECHO) housing.

Public Speaker A, Hayward resident, expressed concerns about tenant rights and alleged neglect and malpractices by landlords, particularly mentioning the Leisure Terrace apartments.

Public Speaker B criticized the City's approach to tenant rights and housing, alleging favoritism towards landlords and property management companies at the expense of tenants; and called for more equitable policies and protections for vulnerable tenants.

Shubbie Aishida, Peace Haven Executive Director, expressed dissatisfaction with the treatment received from City commissioners during the Community Agency Funding interview for the Freedom Store application; and raised concerns about the fairness of the grant allocation process.

Sandra Archuleta advocated for better accessibility for public meetings, including Zoom options and interpretation services, to reduce barriers of access.

CITY MANAGER'S COMMENTS

City Manager McAdoo provided two announcements: 1) the Hayward Police Department will be hosting a recruiting event for collegiate athletes interested in law enforcement careers on April 6, 2024; and 2) the Hayward Area Recreation and Park District (HARD) Board of Directors held a study session on April 1, 2024 regarding the La Vista Park project where HARD Board members expressed concerns about the project costs and reached consensus that City and HARD staff would meet to address concerns raised, finalize plans and proceed with bidding the project.

CONSENT

1. Approve the Minutes of the City Council Meeting on March 19, 2024 **MIN 24-043**
It was moved by Council Member Andrews, seconded by Council Member Roche, and carried by the following roll call vote, to adopt the City Council meeting minutes of March 19, 2024.
2. Adopt a Resolution Authorizing the City Manager to Purchase Two 135 hp Variable Frequency Drive (VFD) Systems from Intec Solutions, Inc., for Use at the Valle Vista Lift Station, CIP Project No. 07739, in an Amount Not-to-Exceed \$152,000 **CONS 24-157**

Staff report submitted by Public Works Director Ameri, dated April 2, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Roche, and carried by the following roll call vote, to adopt the resolution.

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

Resolution 24-060 "Resolution Authorizing the City Manager to Purchase Two 135 HP Variable Frequency Drive (VFD) Systems from Intec Solutions Inc. for use at the Valle Vista Lift Station, CIP Project No. 07739, in an Amount Not-To- Exceed \$152,000"

3. Adopt a Resolution Declaring the City of Hayward's Intention to Issue Tax-Exempt Obligations and Preserving the Ability for the City to Reimburse Itself for Expenses Associated with the Water Resource Recovery Facility (WRRF) Project **CONS 24-158**

Staff report submitted by Finance Director Gonzales and Public Works Director Ameri, dated April 2, 2024, was filed.



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It was moved by Council Member Andrews, seconded by Council Member Roche, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeño
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-061“Resolution of the City Council of the City of Hayward Declaring Intention to Reimburse Expenditures from the Proceeds of Obligations to be Issued by the City to Finance the Water Resource Recovery Facility (WRRF) Improvements Phase II Project, the WRRF New Administration and Lab Project and the Primary Effluent Equalization Facility Project, and Providing Other Matters Related Thereto”

4. Adopt a Resolution Approving Plans and Specifications and Calling for Bids for the FY24 Sidewalk Rehabilitation and Wheelchair Ramp Project, Project No. 05324 **CONS 24-177**

Staff report submitted by Public Works Director Ameri, dated April 2, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Roche, and carried by the following roll call vote, to adopt the resolution.

AYES: COUNCIL MEMBERS Andrews, Bonilla Jr., Goldstein, Roche,
Syrop, Zermeño
MAYOR Salinas

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 24-062, “Resolution Approving Plans and Specifications for the FY24 Sidewalk Rehabilitation and Wheelchair Ramps, Project No. 05324 and Call for Bids”

5. Adopt an Ordinance Amending the Zoning Map and Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code to Establish an Affordable Housing Overlay District to Allow Ministerial Design Review of New Residential Development Subject to Minimum Affordability Criteria and to Rezone Three Properties Subject to the Overlay District **CONS 24-169**

Staff report submitted by City Clerk Lens, dated April 2, 2024, was filed.

It was moved by Council Member Andrews, seconded by Council Member Roche, and carried by the following roll call vote, to adopt the resolution.

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

WORK SESSION

6. Community Agency Funding: Fiscal Year 2025 Community Agency Funding Recommendations for Services, Arts & Music, and Economic Development and Infrastructure and Overview of the FY 2025 Annual Action Plan **WS 24-007**

Staff report submitted by Assistant City Manager Youngblood, dated April 2, 2024, was filed.

Community Services Manager Cole-Bloom announced the item, acknowledged the work by members of the Community Services Commission, and introduced Management Analyst Hwang who provided an overview of the FY 2025 Community Development Block Grant (CDBG) Annual Action Plan.

Members of the City Council made disclosures as follows: Mayor Salinas and Council Member Zermeño both hold positions on the St. Rose Foundation Board; Council Member Goldstein has an ongoing business relationship with the Chief Executive Officer of Be A Mentor; Council Member Syrop's mother serves on the Hayward Arts Council Board; and Council Member Bonilla Jr.'s mother is a childcare provider affiliated with Community Child Care Council (4Cs).

Mayor Salinas and Mayor Pro Tempore Zermeño recused themselves from the presentation and discussion of Community Agency Funding recommendations under the CDBG Economic Development and Infrastructure category because while St. Rose Hospital Foundation was not recommended for funding, the Foundation had applied for funds. They both left the Council Chamber at 7:32 p.m.

Former and Interim Mayor Pro Tempore Andrews took over the proceedings.



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Management Analyst Hwang provided an overview of the Community Agency Funding recommendation under the CDBG Economic Development and Infrastructure category.

CSC members Austin Bruckner-Carrillo, Jesse Gunn, Calvin Wong and Lenita Wheeler were in attendance as they had participated in the Application Review Committees (ARCs).

Discussion ensued among members of the City Council, City staff, CSC members, and the following clarifications were made: South Hayward Parish and St. Rose Foundation both have unspent funds from previous fiscal years that need to be spent before receiving additional funding; the five agencies recommended for full funding were Centro Community Partners, 4Cs of Alameda County, Love Never Fails, Habitat for Humanity East Bay/Silicon Valley Inc., and the rehabilitation and repair program; staff will follow up with the Downtown Streets agency to expand their service to other parts of Hayward such as West Hayward and Hesperian Boulevard; staff will work with other vendors to allocate the funds for home rehabilitation and repair program, ensuring no gap in services; and the possibility of reallocating funds from underutilized projects to organizations such as La Familia.

Interim Mayor Pro Tempore Andrews opened the public comment section at 7:44 p.m.

Carlos Archuleta expressed concern over funding significant allocations to agencies located outside Hayward's jurisdiction such as Eden United Church of Christ; and suggested a potential conflict of interest with the church's role in hosting candidate forums.

Sandra Archuleta advocated for funding the Family Emergency Shelter Coalition (FESCO) project the full request, emphasizing their critical role in not only providing emergency shelter services, but also in supporting economic development through job assistance and resource finding.

Interim Mayor Pro Tempore Andrews closed the public comment section at 7:51 p.m.

In response to Council Member Roche's inquiry about the rationale behind FESCO's funding recommendation, Community Services Commissioner Wong clarified the decision to allocate \$15,000 for FESCO was to fund their security system, citing the amount as proportionate to the project's scope and the organization's size.

Council Member Bonilla Jr. raised concerns about the adequacy of \$15,000 for FESCO's security system, and suggested any available funds in the category be considered for increasing funds in the future.

Council Member Syrop expressed support for the funding recommendations, highlighted the diversity and representativeness of the Commission's work, and asked if other funding options were pursued for FESCO's security cameras to which Manager Cole-Bloom stated staff would investigate it.

Council Member Goldstein agreed with the funding recommendations.

Council Member Roche supported the recommendations but suggested that, should additional funding become available, FESCO should receive full or increased funding for its security system to ensure the project's feasibility.

Council Member Andrews stated that the \$15,000 allocated to FESCO seemed insufficient for a commercial building's security system and suggested further review by staff to assess the adequacy of the funding.

Interim Mayor Pro Tempore Andrews re-opened the public comment at 7:57 p.m.

Public Speaker 1 expressed concern about the lack of an evaluation system for public funding of agencies or to provide feedback on the services; and emphasized the need for audits to ensure agencies are benefiting the community.

In response to Council Member Roche's request to address the last speaker's comment, Manager Cole-Bloom detailed the comprehensive monitoring process in place for funding recipients.

Interim Mayor Pro Tempore Andrews closed public comment at 8:03 p.m.

Interim Mayor Pro Tempore Andrews called for a recess and the meeting reconvened at 8:09 p.m. Mayor Salinas and Mayor Pro Tempore Zermeño returned to the Council Chamber.

Management Analyst Hwang provided an overview of the Community Agency Funding recommendations for funding across three categories: CDBG, Public Services; General Fund, Social Services; and General Fund, Arts and Music.

Management Analyst Hwang highlighted the next steps noting the public comment period extended until May 2, 2024, the public hearing was scheduled for April 23, 2024, and the FY 2025 Annual Action Plan submission to CDBG scheduled for May 15, 2024.

Mayor Salinas opened the public comment section at 8:14 p.m.

Members of the CSC expressed gratitude towards the Council, City staff, applicants, and fellow commissioners.

Austin Bruckner-Carillo, CSC Chair, acknowledged the evolving and sometimes burdensome nature of the application process, noted improvements such as the elimination of site visits and the implementation of an online portal to streamline applications, and encouraged the Council to develop guidelines for individuals who might have conflicts of interest.

Jesse Gunn, CSC Commissioner, expressed the process marked his first involvement chairing in funding recommendations; and highlighted the value of differing opinions and the resultant discussions and compromises as signs of a healthy process.

Calvin Wong, CSC Commissioner, emphasized the importance of supporting projects that offer dignity and opportunities across all ages and circumstances; and detailed the CSC's focus on enriching community culture and supporting microenterprise environments, especially in critical services like childcare and career development.



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Shubbie Aishida thanked all for their support; and highlighted her agency's drastic increase in service demand, from serving 40-50 individuals daily to over 400, making it clear that the current funding level is insufficient to sustain operations.

Mayor Salinas closed the public comment section at 8:25 p.m.

Members of the City Council thanked the Community Services Commission for its work making recommendations for the distribution of CDBG and General Fund allocations to programs in the Infrastructure and Economic Development (CDBG), Public/Social Services (CDBG/General Fund), and Arts and Music (General Fund) categories; and to City staff for helping with the FY 2025 Community Agency Funding (CAF) process.

Discussion ensued among members of the Council, members of the CSC, and City staff; and the following clarifications were made: 05 Sikh Seva's \$10,000 recommended allocation was due to concerns about the organization's data tracking, its ability to prove services target low-income residents in Hayward, and the cap established for various services; the Peace Haven Corporation's Freedom Store applied for funding beyond the available \$50,000 and is recommended to receive \$10,000 from the General Fund; the City opted to participate in national settlement agreements, receiving over \$100,000 to date, for opioid distributor settlement funds; the school district's funding mechanism for licensed vocational nurse (LVN) positions at two Hayward high schools (Hayward High and Tennyson) is based on reimbursements, and the City's funding allocation was sought to initiate payment, allowing time for the Hayward Unified School District to secure reimbursements; CSC prioritized agencies focusing on housing, food security, youth, and family support services, with evaluations based on provided information and a rubric that guided funding decisions; the evaluation process was equitable but there were challenges in assessing new applicants such as Daily Bowl and 05 Sikh Seva; while some funded agencies might not operate directly in Hayward, they are required to serve Hayward residents, such as the Eden United Church of Christ's Newcomer Navigation Service which is located in South Hayward; and the Sun Gallery's funding was capped based on operational years and compliance with funding requirements.

Council Member Syrop encouraged the public to engage with the City regarding any issues or inquiries about funded organizations; suggested that staff include more PPT slides in future presentations to better inform the community about the funding process and its timeline; pleaded the Council on how to consider increasing Community Agency Funding; and acknowledged the positive impact of the Peace Haven Corporation's Freedom Store for unhoused individuals, and suggested potential future support as allocations are finalized.

Council Member Zermeño acknowledged the significant increase in funding requests this year and anticipated even greater demand in the future; and highlighted the positive feedback from the community, noting minimal complaints and viewing this as a testament to the CSC's effectiveness.

Council Member Andrews advocated for seeking additional funding beyond the \$100,000 allocation from the national opioid use settlement agreement to address the opioid crisis's broader impacts on the community and suggested a collective letter of advocacy from the Council, supported increasing funds for Peace Haven Corporation and South Hayward Parish as they provide services to communities experiencing homelessness, and recommended giving any additional funds to FESCO.

Council Member Bonilla Jr. encouraged staff to work with the 05 Sikh Seva agency and provide technical assistance to overcome administrative barriers and improve data reporting, emphasizing the need for increased funding in the future for essential services such as food provision.

Council Member Roche raised concerns about funding for agencies under the food security category, noting that agencies were not recommended for the full funding of \$50,000 with exceptions such as Spectrum Community Services' Meal Programs for Seniors and recommended that any extra funds be allocated to food security organizations.

Mayor Salinas noted Council Member Syrop's request for flexibility in presentation slides, acknowledging some topics might require more slides; highlighted the need for clearer conflict of interest guidelines, especially when community members are engaged in multiple local organizations; mentioned the complexities of food distribution and storage; noted organizations, such as 5 Sikh Seva, that are successful at delivering meals; and expressed his appreciation for the CSC's work.

CSC Chair Brucker-Carrillo suggested a refresher on anti-bias training for the CSC before the next year's funding process to enhance sensitivity and competence in their deliberations; encouraged the public to review the application of Eden United Church of Christ, noting its significant contributions in Alameda County and the leadership of Reverend Dr. Arlene Nering; and commented on the funding and operational challenges faced by organizations like 05 Sikh Seva.

PUBLIC HEARING

7. Hayward Hangars Project TEFRA Hearing: Public TEFRA Hearing as Required by the Internal Revenue Code of 1986, and Adoption of a Resolution Approving the Issuance of Industrial Revenue Bonds by the California Public Finance Authority in an Amount Not-to-Exceed \$5,253,000 to Finance or Refinance the Construction Improvement of the Hayward Executive Airport Located at 20995-22049 Skywest Drive, Hayward, California
PH 24-018

Staff report submitted by Finance Director Gonzales, dated April 2, 2024, was filed.

Finance Director Gonzales provided a synopsis of the staff report, highlighting that Hayward Hangars LLC had requested the City to hold a Tax and Equity Fiscal Responsibility Act (TEFRA) hearing to consider the issuance of tax-exempt industrial revenue bonds.



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In response to Council Member Roche’s request for clarification on the financial implications of the TEFRA hearing, City staff confirmed the bond issuance would not impact the General Fund and was solely for leveraging the City’s tax-exempt status for the project and noted the Council had already approved the project, which involves the expansion of executive hangars at the Hayward Airport and the need for a TEFRA hearing was prompted by a change in the financial institution involved.

There being no public comment, Mayor Salinas opened and closed the public hearing at 9:13 p.m.

Council Member Zermeño made a motion to approve the staff report and Council Member Goldstein seconded the motion.

In response to Council Member Syrop’s request for clarification on the capacity of the new hangar units in terms of airplane storage, Jim Altschul, representing Hayward Hangars LLC, responded by noting the construction of eight new units, with leases already signed for seven, and added that most units will accommodate one plane.

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

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

Resolution 24-063 “Resolution Approving the Issuance of Industrial Revenue Bonds by the California Public Finance Authority in an Amount Not to Exceed \$5,253,000 for the Hayward Hangars Project Located at the Hayward Executive Airport”

COUNCIL REPORTS AND ANNOUNCEMENTS

Mayor Salinas commended the Mt. Eden High School’s Puente Project students and Hayward police officers for helping the Kids Breakfast Club at Burbank Elementary School to prepare and serve breakfast to children and families every weekday morning.

Council Member Andrews made the following announcements: the upcoming Disposal Day on April 13, 2024, with information available on Hayward’s website; the Keep Hayward Cleaning

and Green Task Force initiative, which includes a front yard assistance program for seniors with a May 24, 2024, application deadline; the Earth Day event on April 20, 2024, at Weekes Park; and thanked the Hayward Area Recreation and Park District for organizing successful Easter egg hunts at Kennedy Park.

Council Member Bonilla Jr. thanked Council Member Zermeño for organizing a successful event commemorating Cesar Chavez Day on March 30, 2024, at City Hall.

COUNCIL REFERRAL

8. City Council Referral: Public Art RPT 24-025

Council referral memorandum submitted by Council Member Andrews and Council Member Roche, dated April 2, 2024, was filed.

Council Member Andrews spoke about the referral proposing a streamlined approach for developers to include public art in their projects, suggesting a policy where developers contribute 1 to 2% of project costs either directly into public art within their developments or into a fund dedicated to citywide art initiatives; and thanked City staff for the staff analysis completed.

Council Member Roche supported Council Member Andrews's proposal, acknowledging her long-standing advocacy for public art; and highlighted the positive impacts of public art policies observed in other cities, such as fostering economic development and enhancing public spaces.

Mayor Salinas expressed support for the referral, acknowledging public art generates economic development and brings community together.

Council Member Andrews made a motion to approve the referral and Council Member Roche seconded the motion.

Council Member Syrop advocated for administering the potential art fund toward permanent public art and culture staffing.

There being no public speakers, Mayor Salinas opened and closed the public comment section at 9:25 p.m.

It was moved by Council Member Andrews, seconded by Council Member Roche, and carried by the following roll call vote, to approve the Council referral.

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



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ADJOURNMENT

Mayor Salinas adjourned the City Council meeting at 9:29 p.m.

APPROVED

Mark Salinas
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward