



# CITY OF HAYWARD

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

## Action Minutes City Council

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**Tuesday, December 3, 2019**

**7:00 PM**

**Council Chambers**

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### CITY COUNCIL MEETING

#### **CALL TO ORDER Pledge of Allegiance: Council Member Lamnin**

#### **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 6:00 p.m., regarding two items: 1) conference with legal counsel pursuant to Government Code 54956.9(d)(1) regarding City of Hayward v. Russell City Energy Company, Alameda County Superior Court, No. RG 14752278; and 2) conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated litigation case. City Attorney Lawson noted there was no reportable action related to Item 1 and Mayor Halliday noted there was no reportable action related to Item 2.

City Attorney Lawson noted the City Council unanimously approved, pursuant to Government Code 54954.2(b)(2) and with Council Member Mendall moving, Council Member Zermeno seconding and Council Member Wahab absent, to add one anticipated litigation case to the closed session agenda because the item came to the City's attention after the agenda was posted; and there was no reportable action.

#### **PUBLIC COMMENTS**

Ms. Wynn Grcich  
Ms. Mary Boutté  
Ms. "Kay"  
Ms. Kevah Maund  
Mr. Charlie Peterson

*Consent Items 4, 7 and 10 were removed from the Consent Calendar for separate vote.*

**CONSENT**

## Approval of the Consent Calendar

A motion was made by Council Member Mendall, seconded by Council Member Lamnin, 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 Joint Meeting of the City Council/ Hayward Housing Authority Board/Hayward Redevelopment Successor Agency Board/Hayward Public Financing Authority Board on November 19, 2019](#)

Consent item approved.

2. [Adoption of Ordinance Establishing a Fire Prevention Code for the City Of Hayward; Adopting the California Fire Code, 2019 Edition, Prescribing Regulations Governing Conditions Hazardous to Life And Property From Fire or Explosion; Providing for the Issuance of Permits and Collection of Fees; Providing for Penalties for Violation, and Repealing Ordinance No. 16-23, As Amended, and All Other Ordinances and Parts of Ordinances in Conflict Therewith](#)

Consent item approved.

3. [Adoption of Ordinance Establishing a Building Code for the City of Hayward; Regulating the Construction, Alteration, Repair, And Maintenance of Structures; Providing for the Issuance of Permits and Collection of Fees; Repealing Chapter 9 Article 1, and all Amendments Thereto](#)

Consent item approved.

4. [Adopt Resolutions Authorizing the City Manager to Execute an Agreement with Silverado Contractors, Inc. in an Amount Not-to-Exceed \\$3,901,150, for the Deconstruction of the City Center Building and Appropriate Funds](#)

A motion was made by Council Member Mendall, 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

5. [Transmittal of the Annual Mitigation Fee Act Report \(AB1600\)](#)

Consent item approved.

6. [Adopt a Resolution Authorizing the City Manager to Execute Three Agreements Related to the Bay Area Water Supply and Conservation Agency Pilot Water Transfer](#)

Consent item approved.

7. [Adopt a Resolution Authorizing the City Manager to Purchase the Tax-Delinquent Real Property Located at 1032 Central Boulevard and Enter Into a Purchase and Sale Agreement with the County of Alameda](#)

A motion was made by Council Member Mendall, 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

8. [Adopt Resolutions Authorizing the City Manager to Execute a Professional Services Agreement with Black & Veatch Corporation to Prepare a Water System Risk and Resilience Assessment and Emergency Response Plan and Appropriate \\$228,000](#)

Consent item approved.

9. [Adopt a Resolution Authorizing for the City Manager to Execute a Professional Services Agreement \(PSA\) with Pavement Engineering Inc., \(PEI\) for the Preliminary Cost Impact Estimate and the Preparation of the Plans, Specifications, and Final Estimates for the Old Highlands Homeowners Association \(OHHA\) Pavement Rehabilitation Project in an Amount Not-to-Exceed \\$205,000](#)

Consent item approved.

10. [Adopt a Resolution Authorizing the City Manager to Enter into an Exclusive Negotiating Rights Agreement with Trumark Properties, LLC, for the Proposed Development of Parcel Group 5: Bunker Hill](#)

A motion was made by Council Member Mendall, 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

11. [Adopt a Resolution Approving the Memorandum of Understanding between the City of Hayward and the Hayward Police Management Unit \(HPMU\) for the period of July 1, 2019 through June 30, 2023](#)

Consent item approved.

## WORK SESSION

12. [East Bay Dischargers Authority - Discussion of Amended and Restated Joint Exercise of Powers Agreement \(Report from Public Works Director Ameri\)](#)

Information only.

**PUBLIC HEARING**

13. [Adopt an Ordinance Approving an Amendment to the City of Hayward Contract with the California Public Employees Retirement System \(CalPERS\) for Local Safety - Police Employees and Authorize the City Manager to Execute the Contract \(Report from Assistant City Manager Hurtado\)](#)

A motion was made by Council Member Wahab, 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

**LEGISLATIVE BUSINESS**

14. [Election of Mayor Pro Tempore for 2020 \(Report from City Clerk Lens\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Márquez, to approve staff's recommendation and elect Council Member Salinas as Mayor Pro Tempore for 2020. 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 8:34 p.m., in memory of Mr. John Sands.

**NEXT MEETING, December 17, 2019, 7:00 PM**