



**CITY COUNCIL MEETING  
REMOTE PARTICIPATION  
Tuesday, June 22, 2021, 7:00 p.m.**

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The City Council meeting was called to order by Mayor Halliday at 7:00 p.m. The meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No 29-20 dated March 17, 2020, regarding the COVID-19 pandemic. Members of the City Council, City Staff, and members of the public participated via Zoom platform.

**Pledge of Allegiance:** Council Member Wahab

**ROLL CALL**

Present: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño  
MAYOR Halliday  
Absent: None

**CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session, with all Council Members present, on June 22, 2021, at 5:00 p.m., regarding two items: (1) conference with labor negotiators pursuant to Government Code section 54957.6 regarding all labor groups; and (2) conference with property negotiators pursuant to Government Code section 54956.8 regarding purchase option agreement with California Community Housing Agency at 28850 Dixon Street; APN 078C-0801-001-00. City Attorney Lawson noted that Council discussed Item 1 and took no reportable action. Regarding Item 2, the Council discussed the item, with Council Member Márquez recusing herself because she is temporarily residing in the Cadence site while her home is being remodeled, and took no reportable action.

**PRESENTATION**

Eden Health District Board Chair, Mariellen Faria, and Eden Health District CEO, Mark Friedman, provided a brief history and priorities of Eden Health District; spoke of 2020 events regarding COVID-19 response including financial support for testing, education, vaccination, providing health resources, creating community partnerships, searching grants, and providing community support. It was noted that Eden Health District sponsored Mia's Dream Playground.

**PUBLIC COMMENTS**

City Clerk Lens reminded community members of the annual recruitment for service on City Commissions and the Keep Hayward Clean and Green Task Force, noted the deadline to apply was June 30, 2021, and invited interested members to visit the City website for additional information.

Council Member Andrews asked for reconsideration of the vote taken related to Legislative Business Item (LB 21-023 East Bay Community Energy Default Product) which the City Council took during its June 15, 2021, City Council meeting.

City Attorney Lawson indicated the reconsideration was appropriate as Council Member Andrews was on the prevailing side of the 4:3:0 vote. It was further noted that if the vote were successful, then the matter would need to be rescheduled at a meeting advised by the City Manager.

It was moved by Council Member Andrews, seconded by Council Member Wahab, and carried by the following roll call vote to reconsider action taken at the June 15, 2021, City Council meeting, related to LB 21-023 East Bay Community Energy Default Product:

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None

City Manager McAdoo noted the item would be presented to the City Council on July 6, 2021.

## **CONSENT**

1. Approve City Council Minutes of the City Council Meeting on June 15, 2021 **MIN 21-086**  
It was moved by Council Member Zermeño, seconded by Council Member Lamnin, and carried unanimously, to approve the minutes of the City Council meeting on June 15, 2021.
2. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Procure America for Cost Reduction Consulting Services for an Amount Not-to-Exceed \$500,000, Over a Term of 10 Years **CONS 21-186**

Staff report submitted by Director of Finance Claussen dated June 22, 2021, was filed.

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

AYES:	COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday
NOES:	None
ABSENT:	None
ABSTAIN:	None



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Resolution 21-111, "Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Procure America for Cost Reduction Consulting Services for an amount Not-to-Exceed \$500,000, over a Term of 10 Years"

3. Adopt a Resolution Awarding a Construction Contract to Rosas Brothers Construction for the FY21 Sidewalk Rehabilitation and Wheelchair Ramps Project in the Amount of \$661,076 and Authorizing a Construction Contingency Change Order Budget of \$41,924  
**CONS 21-316**

Staff report submitted by Director of Public Works Ameri dated June 22, 2021, was filed.

Mr. Carl Gorringer reported that curbsides along Shafer Park (noted as District 4 depicted on Attachment III of the staff report) do not have any ramps which makes it difficult for wheelchair and bicycle access and urged for consideration of installation of ramps on Evergreen Street, Cascade Street and Eldridge Avenue as part of future improvements.

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

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-112, "Resolution Awarding the Sidewalk Rehabilitation and Wheelchair Ramps FY21 Project Construction Contract, Project Nos. 05302, 05221 and 05229, to Rosas Brothers Construction"

4. Adopt a Resolution Authorizing the City Manager to Execute a Pipeline Disposition Agreement with Pacific Gas & Electric Company for the Transfer of Ownership to the City of a Portion of a Decommissioned Gas Line on West Winton Avenue Along the Fire Station 6 and Fire Training Center Project **CONS 21-321**

Staff report submitted by Director of Public Works Ameri dated June 22, 2021, was filed.

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

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-113, “Resolution Authorizing the City Manager to Execute a Pipeline Disposition Agreement with Pacific Gas & Electric Company for the Transfer of Ownership to the City of a Portion of a Decommissioned Gas Line on West Winton Avenue Along the Fire Station 6 and Fire Training Center Project”

5. Adopt Resolutions Authorizing the City Manager to Execute Amendment #2 with MuniServices, LLC to Extend Sales Tax Analysis and Information Services and Execute a Novation Agreement Required by Sales and Use Tax Law **CONS 21-327**

Staff report submitted by Director of Finance Claussen dated June 22, 2021, was filed.

It was moved by Council Member Zermeño, seconded by Council Member Lamnin, and carried by the following roll call vote, to approve the resolutions.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-114, “Resolution Authorizing the City Manager to Execute Amendment No. 2 to the Professional Consulting Services Agreement with MuniServices, LLC to Extend the Term of the Contract for One Year”

Resolution 21-115, “Resolution Authorizing the City Manager to Execute a Novation Agreement Regarding MuniServices, LLC and Authorizing MuniServices, LLC Pursuant to California Sales and Use Tax Law, Section 7056 to Examine Ascertainment of the Sales or Transactions and Use Tax Records of the Board Pertaining to those Sales or Transactions and Use Taxes”



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6. Adopt a Resolution Authorizing the City Manager to Amend the Agreement with Acclamation Insurance Management Services ("AIMS") as Third-Party Administrator ("TPA") of the City of Hayward's Workers' Compensation Claims Services Extending the Term of the Contract for a Period of One Year **CONS 21-329**

Staff report submitted by Director of Human Resources Sangy dated June 22, 2021, was filed.

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

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-116, "Resolution Authorizing the City Manager to Amend the Agreement with Acclamation Insurance Management Services ("AIMS") for Third Party Administrator ("TPA") of the City of Hayward's Workers' Compensation Claims Services Extending the Term of the Contract until June 30, 2022"

7. Adopt a Resolution Authorizing the City Manager to Award a Contract to Root Tamers, Inc., for Sewer Root Control Services in an Amount Not-to-Exceed \$94,498 **CONS 21-331**

Staff report submitted by Director of Public Works Ameri dated June 22, 2021, was filed.

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

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-117, "Resolution Authorizing the City Manager to Award a Contract to Root Tamers, Inc., for Sewer Root Control Services in an Amount Not-to-Exceed \$94,498"

8. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a One-Year Renewal of the Master Agreement and Lease with the Hayward Area Recreation and Park District for Operations and Maintenance of City Park Lands **CONS 21-335**

Staff report submitted by Assistant City Manager Ott dated June 22, 2021, was filed.

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

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-118, "Resolution Authorizing the City Manager to Negotiate and Execute a One-Year Renewal of the Master Agreement and Lease with the Hayward Area Recreation and Park District for Operations and Maintenance of City Park Lands"

9. Adopt a Resolution Amending the FY21 Capital improvement Program Budget to Transfer and Appropriate Funds to Project Number 07267, Online Permitting, in the Amount of \$363,469 to Increase the Total Project Budget Amount Not-to-Exceed \$1,726,988 for the Purchase and Implementation of EnerGov Online Permitting Solution and Authorize the City Manager to Amend the Agreement with Tyler Technologies to Reflect the Revised Project Budget **CONS 21-339**

Staff report submitted by Assistant City Manager/Development Services Director Ott dated June 22, 2021, was filed.

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

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None



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Resolution 21-119, “Resolution to Amend the FY21 Capital Improvement Program Budget to Transfer and Appropriate Funds to Project Number 07267, Online Permitting in the Amount of \$363,469 to Increase the Total Project Budget Amount Not-to-Exceed \$1,726,988 for the Purchase and Implementation of EnerGov Online Permitting Solution and to Amend the Contract with Tyler Technologies to Reflect the Updated Project Budget”

**WORK SESSION**

10. Tuolumne River Voluntary Agreement: Presentation and Discussion of Tuolumne River Voluntary Agreement (TRVA) as an Alternative to the Bay-Delta Plan **WS 21-032**

Staff report submitted by Director of Public Works Ameri dated June 22, 2021, was filed.

Public Works Director Ameri announced the staff report and introduced Ms. Nicole Sandkulla CEO and General Manager of Bay Area Water Supply and Conservation Agency (BAWSCA).

Mayor Halliday opened the public comment section at 8:05 p.m.

Mr. Al Mendall, Hayward’s BAWSCA representative, let Council know he was available for questions and urged Council to listen to BAWSCA.

In response to Mayor Halliday’s inquiry for a comment on the tradeoff of environmental concerns, Mr. Mendall noted the recommended voluntary agreement was the way to strike a balance to do as much to restore the natural habitat and look out for Hayward residents and their water needs.

Mr. Marty Funkhouser noted water conservation is key to sustainability, added there are three-eyed fish in the water due to the pollution, and stated the recommended agreements were a move in the right direction.

Mayor Halliday closed the public comment section at 8:10 p.m.

In response to Council Member Zermeño’s inquiry about BAWSCA’s position on rationing water, Ms. Sandkulla stated the current policy allows for rationing up to 20% of the regional water system and noted the concern was about rationing above 20% given potential impacts on water conservation.

In response to Council Member Salinas’ inquiry if there will be a meta-analysis across all studies and if there is a menu of policies that participating municipal governments can

evaluate for participation, Ms. Sandkulla stated there will be independent third-party experts reviewing all information to analyze and confirm it meets the biological objectives of the Bay Delta Plan and go back to the State board to do a full environmental review, and as for policies, water demand management will be tackled as part of the long-term planning.

In response to Council Member Andrews' inquiry about a comparison of water usage from commercial versus residents and more impactful ways to address water usage from businesses as opposed to residents, Ms. Sandkulla stated BAWSCA puts out a report every year about water use per agency as well as regionally which identifies residential vs non-residential use as well as non-revenue water and use the information to do demand projections and look at how conservation programs can be applied.

In response to Council Member Lamnin's inquiry if the analysis evaluates each agency's conservation rates, Ms. Sandkulla responded that this is shown in the per capita use that is reported every year as well as the annual conservation report which shows participation from agencies.

Council Member Márquez expressed support in examining the Tuolumne River Voluntary Agreement, asked about next steps and how often BAWSCA meets, and asked staff for ways to encourage conservation policies. Ms. Sandkulla noted they are still working with the Governor's negotiators who would prefer to have a global voluntary agreement that incorporates all rivers that flow into the bay delta and noted BAWSCA meets monthly with staff and the board meets every other month with another committee meeting on the opposite months.

Council Member Wahab expressed concern that only 10 percent of water use is urban and how the City can focus efforts on agriculture and environmental use; asked Public Works Director Ameri about efforts and investment around desalinization; and noted she would like to see long term investments in providing other water sources. Ms. Sandkulla noted the Tuolumne River Voluntary Agreement is put forward by an urban agency and agricultural districts which have discussed trying to manage groundwater efficiency in agricultural use and improved water storage for more cost-effective opportunities to meet collective needs. Public Works Director Ameri stated desalinization is an energy-intensive and costly effort and staff has not investigated that yet because there are other options that should be considered first.

Council Member Andrews asked for a partnership with the Keep Hayward Clean and Green Task Force to get drought-resistant landscaping messaging to the community.

Mayor Halliday discussed the conflict of water needed for building requirements and meeting Regional Housing Needs Allocation (RHNA) goals and how this impacts water conservation and discussed the need to speak with State legislators about this issue.





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**PUBLIC HEARING**

11. Stratford Village Prop. 218 Hearing: Proposition 218 Public Hearing to Receive and Tabulate Property Owner Ballots Regarding Formation and Levying of Assessments for the Stratford Village Flood Control Facilities Improvement Assessment District (MD1-2021), Adopt a Resolution Establishing the Stratford Village Flood Control Facilities Improvement Assessment District (MD1-2021), Approving the Final Engineer's Report, Ordering the Levy and Collection of Assessments for Fiscal Year 2022, and Appropriating the Budget **PH 21-045**

Staff report submitted by Director of Maintenance Services Rullman, dated June 22, 2021, was filed.

Maintenance Services Director Rullman introduced Management Analyst Blohm who provided a synopsis of the staff report.

There were no questions offered by members of the City Council.

There being no public comment, Mayor Halliday opened and closed the public hearing at 8:48 p.m.

City Clerk Lens was directed to open and tabulate the submitted ballots.

Mayor Halliday noted that while City Clerk Lens tabulated the submitted ballots, the City Council would continue the meeting, take the next item on the agenda, and return to Item 11 when the City Clerk is ready to provide results of the tabulation.

12. LLAD 96-1 Assessment Hearing: Adopt a Resolution to Approve the Final Engineer's Report, Reconfirm Maximum Base Assessment Amounts, Confirm the Assessment Diagrams and Fiscal Assessments, Order the Levy and Collection of Fiscal Assessments; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Special Revenue Funds for Consolidated Landscaping and Lighting Assessment District (LLAD) No. 96-1, Zones 1 through 18, for Fiscal Year 2022 **PH 21-051**

Staff report submitted by Director of Maintenance Services Rullman, dated June 22, 2021, was filed.

Management Analyst Blohm provided a synopsis of the staff report.

There were no questions offered by members of the City Council.

There being no public comment, Mayor Halliday opened and closed the public hearing at 8:54 p.m.

It was moved by Council Member Lamnin, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolutions.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-120, “Resolution Approving the Final Engineer’s Report, Reconfirming Maximum Base Assessments, Confirming the Assessment Diagrams and Fiscal Assessments, and Ordering Levy and Collection of Fiscal Assessments for Fiscal Year 2022 for the Landscaping and Lighting Assessment District No. 96-1, Zones 1-18”

Resolution 21-121, “Resolution Approving Funding Recommendations and Appropriating Special Revenue Funds for Consolidated Landscaping and Lighting Assessment District No. 96-1, Zones 1 through 18 for Fiscal Year 2022”

13. Eden Shores Maintenance District: Adopt a Resolution to Approve the Final Engineer’s Report, Confirm the Maximum Base Assessment Rate, Confirm the Fiscal Assessment Rate, Confirm the Assessment Diagram, Order the Levy and Collection of Fiscal Assessment; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Revenue and Expenditure Budgets for Maintenance District No. 2 – Eden Shores Storm Water Buffer and Facilities, for Fiscal Year 2022 **PH 21-030**

Staff report submitted by Director of Maintenance Services Rullman, dated June 22, 2021, was filed.

Management Analyst Blohm provided a synopsis of the staff report and a presentation.

Mayor Halliday asked if there has been any assessment as to how the water buffer has served its purpose. Management Analyst Blohm noted that the water buffer was working well and acting as a double line of defense.

There being no public comment, Mayor Halliday opened and closed the public hearing at 9:00 p.m.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolutions.



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Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-122, “Resolution Approving the Final Engineer’s Report, Confirming Maximum Base Assessment Amount, Confirming the Fiscal Assessment Rate, Confirming the Assessment Diagram, and Ordering the Levy and Collection of the Fiscal Assessment for Fiscal Year 2022 for Maintenance District No. 2: Eden Shores Water Buffer Zone and Pre-Treatment Pond”

Resolution 21-123 “Resolution Approving Funding Recommendations and Appropriating the Special Revenue Funds for Maintenance District No. 2 for Fiscal Year 2022”

**LEGISLATIVE BUSINESS**

**14. Temporary Eviction Moratorium: Adoption of an Emergency Ordinance Enacting a Moratorium on Residential Evictions **LB 21-024****

Staff report submitted by Assistant City Manager Ott dated June 22, 2021, was filed.

Assistant City Manager Ott announced the staff report and introduced Housing Manager Morales who provided a synopsis of the staff report.

Discussion ensued among members of the City Council and City staff regarding the statewide proposed legislation which is anticipated to be enacted before the existing legislation expires; the reasoning for staff not recommending extending the commercial eviction moratorium because of the concern this could hinder recovery and discourage from opening new businesses; the mediation program in place for tenants and landlords to renegotiate repayment plans; the anticipated State’s rental assistance program and how tenants and landlords can participate in the mediation program to address unpaid rent; it was confirmed the City has expended all CBDG rent relief funds so residents would have to go through the County program and the County has contracted with service providers and outreach providers to assist applicants; stimulus package options for small business owners; and it was noted there is no explicit support for landlords in current legislation but there may be other programs available to apply for forbearance to prevent foreclosures.

Mayor Halliday opened the public hearing at 9:23 p.m.

Ms. Lacei Amodei, The Hayward Collective member, referenced a letter submitted for the record which indicated support for staff's recommendation and to consider additional protections after local or state protections expire, dedicate additional resources, and increase the outreach and education efforts to landlords and tenants.

Mr. Robert Robledo, Rental Housing Association of Southern Alameda County Executive Director, expressed a desire to work with Council to fund programs that can benefit all and need to focus on how the effect of the pandemic may hurt minority landlords.

Dr. Shonda Goward, The Hayward Collective member, wanted to keep the focus on struggling tenants and stated the moratorium will give College students time to receive financial aid.

Mayor Halliday closed the public hearing at 9:30 p.m.

Members of the City Council thanked staff for the work done, for being proactive and providing a safety net.

Council Member Salinas acknowledged his two colleagues in the Homelessness Housing Task Force and City staff for their work to achieve the commitment to put residents first, disclosed having met with Mr. Robert Robledo in the past and thanked him for his input, and made a motion to approve staff' recommendation.

Council Member Márquez seconded the item and asked for a friendly amendment directing staff to schedule an informational item on September 21, 2021, to hear a status update on the moratorium and to assess the need of an extension prior to the September 30, 2021, expiration.

Council Member Salinas accepted the addition to the motion.

Council Member Lamnin expressed frustration with the slowness in which aid had been distributed, invited the Rental Housing Association to discuss partnership opportunities, acknowledged issues smaller landlords face, agreed with the need to revisit the item in September, and noted the messaging should encourage residents to plan for the moratorium to end in September and work with the resources available to them.

Council Member Zermeño expressed appreciation for discussions around equity and asked he would like a report showing how successful programs have been and where aid has been distributed.

Council Member Wahab thanked her two colleagues in the Homelessness Housing Task Force, reiterated her desire to see the statistics of responses and ensure efforts are citywide, expressed she wants to re-engage with the landlord community, noted the importance to understand pros and cons of services provided by the City to tenants in terms of ease of access and usefulness, thanked The Hayward Collective's input, and concurred with Council Member Marquez's request for an update in September.



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In response to Council Member Andrews' inquiry if there are any programs for landlords to receive grants for maintenance costs, Housing Manager Morales noted that as rental assistance is pending, it is likely that landlords will be made whole with rent and will be able to address deferred maintenance.

Mayor Halliday supported the motion, suggestion of a September update, and feedback on how programs have worked; noted that when considering assistance to small businesses the City might also want to consider assistance to landlords with grants; and hoped the State and County can expedite disbursement of funds.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the adoption of an ordinance with an amendment directing staff to schedule an informational item by September 21, 2021, to hear a status update on the moratorium and to assess the need of an extension prior to the September 30, 2021, expiration.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Adoption of an Ordinance 21-03, "An Emergency Ordinance of the City Council of the City of Hayward Establishing a Temporary Moratorium on Residential Evictions in the City of Hayward for Non-Payment of Rent Caused by the Coronavirus (COVID-19) Pandemic, or for a No-Fault Reason Unless the Eviction is Necessary for the Imminent Health and Safety of the Tenant or Landlord Effective July 1, 2021, through September 30, 2021"

Item 11. Stratford Village Prop. 218 Hearing. (Continued)

City Clerk Lens announced the canvass of the assessment ballots submitted by property owners was complete and certified by her, Hayward's City Clerk, and the votes cast were as follows:

Total Number of Valid Ballots Processed: 65  
Total Number of "Yes" Votes Processed: 20  
Total Number of "No" Votes Processed: 45  
Invalid Ballots: 2

Total Percentage of “Yes” Ballots, Weighted by Assessment: 30.77%  
Total Percentage of “No” Ballots, Weighted Assessment: 69.23%

City Clerk Lens noted this meant the City had not received a 50% majority plus one of the weighted returned ballots to approve the proposed assessment.

Management Analyst Blohm noted that since property owners voted against an increased assessment for Stratford Village Flood Control Facilities Improvement Assessment District (MD1), staff would return to Council on July 6, 2021, with the existing MD1 Preliminary Engineer’s Report and Resolution of Intention and set July 20, 2022, as the public hearing date to approve and order the levy and collection of the original MD1 assessment of \$244.

In response to Mayor Halliday’s inquiry about the \$244 assessment, Management Analyst Blohm indicated the current assessment (\$244 per year) pays for basic maintenance operation and administration; and noted the amount does not pay for capital improvement needs.

15. FY 2022 Salary Plan: Adopt Resolutions Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2022 and the Restoration of Furlough Time and Foregone Salary Adjustments for Fiscal Year 2021 for the International Association of Firefighters, Local 1909 and Unrepresented Executives, Management, City Manager’s Office, Human Resources and City Attorney’s Office Employees **LB 21-025**

Staff report submitted by Director of Finance Claussen dated June 22, 2021, was filed.

City Manager McAdoo provided a synopsis of the staff report.

Mayor Halliday opened the public hearing at 10:05 p.m.

Mr. John Varga, representative of IFPTE Local 21, was pleased to hear the City Manager reference negotiating the terms of a payback, noted employees who made sacrifices during a difficult time deserve to be recognized, and hoped all employees receive that recognition.

Ms. Cheryl Penick, Hayward Chapter President of IFPTE Local 21, noted that while employees are owed the compensation that was originally negotiated, making themselves whole before making 500+ employees from SEIU, HAME, and IFPTE whole or having a plan to do so is not equitable and undermines the trust between labor and City management.

Mayor Halliday closed the public hearing at 10:07 p.m.

Council Member Wahab shared that Council has publicly stated their intent to make every employee whole but conversations with labor groups take longer than individuals, appreciated concessions and efforts from staff during the pandemic and moved the staff recommendation.

Council Member Lamnin seconded the motion.



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Mayor Halliday echoed that Council intends to make all groups whole and asked the City Manager to comment on the plan to move forward. City Manager McAdoo noted all labor groups have had multiple opportunities to meet and discuss concessions repayments and Human Resources staff was ready to engage in discussions.

It was moved by Council Member Wahab, seconded by Council Member Lamnin, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-124, “Resolution Approving the Amended Fiscal Year 2022 Salary Plan Designating Positions of Employment in the City of Hayward and Salary Range; and Superseding Resolution No. 21-038 and all Amendments Thereto”

City Manager McAdoo exited the Zoom webinar as the next item related to her employment agreement.

16. City Manager Employment Agreement: Adopt a Resolution Approving an Amendment to the Employment Agreement Between the City of Hayward and the City Manager and Authorizing the Mayor to Execute the Amended Agreement **LB 21-026**

Staff report submitted by Director of Finance Claussen dated June 22, 2021, was filed.

Finance Director Claussen provided a synopsis of the staff report and a presentation.

There being no public comment, Mayor Halliday opened and closed the public hearing at 10:14 p.m.

Mayor Halliday indicated the lump sum payments were in lieu of cost of living increases and saved the City in terms of future CalPERS obligations.

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

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-125, "Resolution Approving the Amendment to the Employment Agreement Between the City of Hayward and City Manager and Authorizing the Mayor to Execute the Amended Agreement"

City Attorney Lawson and City Clerk Lens left the Zoom webinar.

17. City Attorney Concessions Repayment: Adopt a Resolution Approving a Foregone Cost-Of-Living Adjustment and a One-Time Lump Sum Payment to the City Attorney **LB 21-027**

Staff report submitted by Director of Finance Claussen dated June 22, 2021, was filed.

Finance Director Claussen provided a synopsis of the staff report addressing items 17 and 18.

There being no comment, Mayor Halliday opened and closed the public hearing for Item 17 and Item 18 at 10:20 p.m.

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

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-126, "Resolution Approving a Foregone Cost-of-Living Adjustment and a One-Time Lump Sum Payment to the City Attorney"

18. City Clerk Concessions Repayment: Adopt a Resolution Approving a Foregone Cost-Of-Living Adjustment and a One-Time Lump Sum Payment to the City Clerk **LB 21-028**

Staff report submitted by Director of Finance Claussen dated June 22, 2021, was filed.





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Tuesday, June 22, 2021, 7:00 p.m.**

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

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeño  
MAYOR Halliday

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 21-127, "Resolution Approving a Foregone Cost-of-Living Adjustment and a One-Time Lump Sum Payment to the City Clerk"

**CITY MANAGER'S COMMENTS**

City Manager McAdoo made four announcements: (1) announced there is an outdoor payment kiosk at City Hall for residents to pay utility bills while City Hall is closed; (2) acknowledged the Economic Development team, Downtown Hayward Improvement Association, and Hayward Chamber of Commerce for hosting a Together for Hayward Downtown reopening event on July 10, 2021 at noon; (3) noted there were modifications to the restroom in the Watkins parking garage; and (4) announced the Library's Summer Reading Challenge program started and will continue through the end of July, and Lunch at the Library started and allows school aged children to come to the Downtown Library for a free lunch through July 28, 2021 and referred to the City website for more information.

**COUNCIL REPORTS AND ANNOUNCEMENTS**

Mayor Halliday thanked Council Member Andrews for her assistance on organizing the first annual Juneteenth event.

Council Member Andrews thanked all co-hosts, donors, elected officials and partners who contributed to the Juneteenth event; thanked HPD and HFD for their presence and Animal Services for donating dog food; thanked Maintenance and Development Services staff for their assistance in planning the event; and read a positive review of the event.

Council Member Salinas recognized year twelve of the free summer lunch program; noted children under 18 years old can visit the Downtown Library or Tyrrell Elementary School Monday to Friday between 11am and 12pm and register on the Hayward Public Library website for Words for Lunch online programming on Mondays and Wednesdays from 1-2pm.

Council Member Lamnin announced that she and Council Member Andrews were switching places representing the City on the East Bay Dischargers Authority; noted the Alameda County Board of Supervisors will start conversations about the outreach plan and potentially hiring a redistricting consultant at the June 29, 2021, meeting; and referred to [www.alcoredistricting.org](http://www.alcoredistricting.org) for more information.

Council Member Wahab highlighted the Juneteenth event and acknowledged Council Member Andrews for organizing it and noted it was a positive and inclusive event.

Council Member Zermeño shared that street parties and mariachi festival are being organized and he can be contacted for those interested in sponsoring a mariachi.

Mayor Halliday echoed positive comments about the Juneteenth event and thanked the Chamber of Commerce for inviting her to deliver the annual State of the City on June 23, 2021, thanked staff for putting together a presentation highlighting last year's events, and wished everyone a Happy Fourth of July.

#### **COUNCIL REFERRALS**

None received.

#### **ADJOURNMENT**

Mayor Halliday adjourned the special meeting at 10:40 p.m.

#### **APPROVED**

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Barbara Halliday  
Mayor, City of Hayward

#### **ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward