



**SPECIAL CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, July 14, 2020, 7:00 p.m.**

The Special City Council meeting was called to order by Mayor Halliday at 7:00 p.m. The special meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No 29-20 dated March 17, 2020, and the Alameda County Health Officer Order No. 20-10 dated April 29, 2020 regarding the COVID-19 pandemic.

CALL TO ORDER Pledge of Allegiance: Mayor Halliday

ROLL CALL

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

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on July 13, 2020, at 7:30 p.m., regarding conference with legal counsel pursuant to Government Code 54956.9(d)(4) regarding one anticipated litigation case. City Attorney Lawson reported all members of the City Council were present and there was no reportable action.

The City Council convened in closed session on July 14, 2020, at 5:30 p.m., regarding three items: 1) conference with labor negotiators pursuant to Government Code 54957.6 regarding all labor groups; 2) conference with legal counsel pursuant to Government Code 54956.9 regarding Stoddard-Nunez v. City of Hayward, U.S. District Court, N.D. CA, No. 4:13-cv-04490 KAW; and 3) conference with legal counsel pursuant to Government Code 54956.9 regarding National Lawyers Guild, etc. v. City of Hayward, Alameda County Superior Court, No. RG15785243. City Attorney Lawson reported all members of the City Council were present and there was no reportable action.

PUBLIC COMMENTS

There were no public comments.

CONSENT

Consent Items 2 and 4 were removed from the Consent Calendar for separate vote.

1. Approve the Minutes of the Special City Council Meeting on June 30, 2020 **MIN 20-077**
It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously, to approve the minutes of the Special City Council meeting on June 30, 2020.

2. Adopt an Ordinance Amending Chapter 10 (Planning, Zoning and Subdivisions), Article 1 (Zoning Ordinance), Section 10-1.2780 through 10-1.2797, Tobacco Retail Sales Establishments, of the Hayward Municipal Code **CONS 20-370**

Staff report submitted by City Clerk Lens, dated July 14, 2020, was filed.

Mayor Halliday opened the public hearing at 7:05 p.m.

Public speakers participated by calling the City Clerk's office at (510) 583-4400.

Mr. Haroon Ahmed, Smokey's Smoke Shop representative, noted the ordinance would impact 14 adult tobacco stores in Hayward and suggested the requirement of ID scanning to prevent underage sales of tobacco.

Ms. Rosalyn Amoya, Tobacco Control Coalition representative, noted studies have shown that 50% of adult only tobacco stores in California have sold to minors and an exemption for these stores would not protect the youth.

Mayor Halliday closed the public hearing at 7:09 p.m.

Council Member Mendall noted the Council needed to first set rules and restrictions, and modifications for adult only smoke shops can be considered in the future.

Council Member Mendall offered a motion per staff recommendation and Council Member Salinas seconded the motion.

Council Member Wahab offered a friendly amendment that the revocation of tobacco retailer licenses, currently reviewed by the Planning Commission, be changed to review by the City Council.

Council Member Mendall did not accept the friendly amendment, noting that any member of City Council could, through a call up process, review revocation decisions made by the Planning Commission.

Council Member Wahab requested that the City Council be informed of any tobacco license revocation items that are presented to the Planning Commission.

It was moved by Council Member Mendall, seconded by Council Member Salinas, and carried by the following roll call vote, to approve the ordinance

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



**SPECIAL CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, July 14, 2020, 7:00 p.m.**

Ordinance 20-12, "Ordinance of the City of Hayward, California, Amending Chapter 10 (Planning, Zoning, and Subdivisions), Article 1 (Zoning Ordinance), Section 10-1.2780 through 10-1.2797, Tobacco Retail Sales Establishments, of the Hayward Municipal Code"

3. Adopt an Ordinance Amending the Hayward Zoning Map and Chapter 10, Article 1 (Zoning Ordinance), Article 7 (Sign Regulations), Article 24 (South Hayward Bart/Mission Boulevard Form Based Code) and Article 25 (Mission Boulevard Corridor Form Based Code) of the Hayward Municipal Code Related to the Comprehensive Update of the Mission Boulevard Code **CONS 20-372**

Staff report submitted by City Clerk Lens dated July 14, 2020, was filed.

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried by the following roll call vote, to approve the ordinance:

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

Ordinance 20-13, "Ordinance of the City of Hayward, California Amending Section 8-4.20 of the Hayward Municipal Code Relating to Transient Occupancy Tax"

4. Adopt a Resolution Confirming the Report and Special Assessment for Delinquent Sewer Bills and Water Bills Incurred by Property Owners **CONS 20-356**

Staff report submitted by Director of Public Works Ameri, dated July 14, 2020, was filed.

City Manager McAdoo disclosed she was recusing herself from participating on the item because her homeowner's association was listed on the delinquent bill list and left the Microsoft Teams meeting.

In response to Council Member Wahab's inquiry, Public Works Director Ameri explained the process of paying an amount owed by a group of properties.

It was moved by Council Member Salinas, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the ordinance:

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

Resolution 20-122, “Resolution Confirming the Report and Special Assessment List Associated with Delinquent Water and Sewer Bills and Authorizing the Delinquent Charges to Become a Special Assessment Against the Properties if Not Paid by August 1, 2020”

City Manager McAdoo rejoined the Microsoft Teams meeting at 7:20 p.m.

WORK SESSION

5. East Bay Community Energy Potential Rate Increase: Review and Comment on a Potential Rate Increase for Electricity from East Bay Community Energy **WS 20-032**

Staff report submitted by Director of Public Works Ameri, dated July 14, 2020, was filed.

Public Works Director Ameri announced the report and introduced Environmental Services Manager Pearson who provided a synopsis of the staff report.

There being no comments, Mayor Halliday opened and closed the public hearing at 7:27 p.m.

Discussion ensued among City Council members and City staff regarding: East Bay Community Energy’s (EBCE) financial challenges and how the Power Charge Indifference Adjustment (PCIA), also referred to “exit fee” is calculated by PG&E; meeting greenhouse gas emissions (GHG) goals; nuclear energy; and rate increases for the options.

Council Member Mendall spoke about the options for electricity products and potential changes: switch the City over to Bright Choice which would be slightly less expensive but would be dirtier energy and would affect the City’s greenhouse gas emissions (GHG); switch the City to Renewable 100 which would be 5% more expensive but 100% GHG free and 100% renewable; keep Brilliant 100 which would go up in price by 3%; or push for Brilliant 100 to maintain its current price by accepting free nuclear power allocation from PG&E.

Council Member Zermeño favored Brilliant 100 with free nuclear power allocation from PG&E as the default product which would maintain the current price and recommended the East Bay Community Energy (EBCE) Board move forward with this option.



**SPECIAL CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, July 14, 2020, 7:00 p.m.**

Council Member Lamnin stated that while she wanted to keep and exceed the City's GHG goals she did not know if she could advocate for having a default product that would be more costly than PG&E.

Council Member Márquez noted she wanted to achieve GHG goals but without community outreach she would prefer Bright Choice which would result in 1% less on the electricity bill when compared to PG&E. Furthermore, she mentioned the City needed to find creative ways to encourage or incentivize residents to opt up to Renewable 100.

Council Member Salinas noted that Brilliant 100 with the nuclear allocation would keep rates moderate in anticipation that in the next three to four years the City would be able to move into something more sustainable.

Council Member Wahab preferred the City select the most environmentally friendly option because the City had to maintain the investment and making changes would be costly.

Mayor Halliday expressed her preference was also to prioritize the environment and mentioned it was important for the City to educate the public and conduct more community outreach about the rate increase.

City Manager McAdoo mentioned that Mr. Alex DiGiorgio, Executive Director of EBCE, was on the line. City Clerk Lens noted that Mr. DiGiorgio was not able to connect and would be sending an email to Council.

Council Member Mendall noted that three members agreed the City maintain a 100% GHG free default choice and everyone else wished for that but did not want to see the rate increase. He noted he would advocate for these options.

Mayor Halliday thanked City staff and Council Member Mendall for all the work and asked to keep everyone informed.

LEGISLATIVE BUSINESS

6. Residential Rent Stabilization and Tenant Protections: (1) Introduce an Ordinance Amending Chapter 12, Article 1 of the Hayward Municipal Code Relating to Residential Rent Stabilization and Tenant Protections; (2) Introduce an Ordinance Adding Chapter 12 Article 2 of the Hayward Municipal Code Related to Tenant Relocation Assistance; (3) Adopt a Resolution Authorizing Amendment to Resolution 20-060 City of Hayward Fiscal Year 2021 Master Fee Schedule to Establish an Amount of Relocation Assistance; and (4) Provide a Progress Report on Implementation of Residential Rent Stabilization and Tenant Protection Ordinance **LB 20-035**

Staff report submitted by Deputy City Manager Ott, dated July 14, 2020, was filed.

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

Council Member Wahab asked City staff to clarify: Leisure Terrace communications about rent increases; notifications by landlords to tenants under the Residential Rent Stabilization and Tenant Protection Ordinance (RRSO); tenant relocation assistance; City staff efforts to notify tenants about their rights under the new ordinance; clarification for stays less than 30 days for hotels, motels, and hospitals and long term; short-term rentals; and tenants petition to the Rent Review Board for any violation of rent increases and petition process.

Mayor Halliday opened the public hearing at 8:52 p.m.

Public speakers participated by calling the City Clerk's office at (510) 583-4400.

Ms. Pauline Kaye, Leisure Terrace apartment resident, noted her rent increase notice was over the allowed percentage. Housing Manager Morales noted rents were charged based on income levels and would contact Ms. Kaye to provide more information.

Ms. Angela Andrews, Hayward resident, noted the rate of affordable housing development was not meeting the demand, supported a rent increase cap of 5%, and encouraged the City to continue working with landlords.

Ms. Lorena Luna, Hayward resident, suggested the 5% rent increase cap be changed to the current CPI and noted the permanent relocation assistance should cover three months' worth of rent.

Ms. Alicia Lawrence, The Hayward Collective member, referred to a letter about a petition to lower the current 5% threshold to the annual rate established by the Department of Housing & Urban Development's annual adjustment factors rate; clarifications in the RRSO, and permanent and temporary relocation assistance.

Ms. Pauline Williams spoke about Reliant Property Management and Leisure Terrace Apartment issues.

Ms. Lacei Amodei, Hayward resident, expressed support for The Hayward Collective's letter and noted there should be a temporary rent freeze for the duration of the crisis and then a reasonable rent increase tied to CPI.

Ms. Elisha Crader, Hayward resident and tenant advocate, supported the Hayward Collective letter regarding permanent relocation assistance, lower annual rent increase threshold and tie it to the CPI of 2%-3%; and recommended rents be cancelled for the duration of the pandemic.



**SPECIAL CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, July 14, 2020, 7:00 p.m.**

Ms. Alondra Flores asked to consider lowering the rent increase cap to 2%-3% and cancelling and freezing rents.

Ms. Cynthia Nunes supported a lower annual rent increase threshold.

Mr. Eric Vance, Hayward resident, spoke in support of the Hayward Collective's letter, noted wages were not increasing, and supported a freeze/cancellation of rents.

Ms. Emma Dinkelspiel, Bay Area Legal Aid attorney, echoed Ms. Crader's comments, noted that anything the City Council could do to stop the eviction tsunami would save households.

Mr. Alexis Villalobos supported the Hayward Collective's petition and letter, noted the working class was notably affected when the minimum wage increase was delayed and noted the 5% increase was high.

Ms. Vanessa Sadsad echoed the sentiments of the community and the Hayward Collective, had asked the Council to lower the threshold during the pandemic, questioned why the CPI was not addressed in the staff report and suggested the item be tabled.

Ms. Yennifer Origel, spoke on behalf of small property owners and requested more relief and resources be made available to tenants so that they can pay their rents and proposed a temporary decrease in rent during the pandemic.

Ms. Susan Houa, Hayward resident, expressed it was wrong to expect people to pay rent increases when out of work and that Council needed to reconsider this item.

Diane Fagalde, Hayward tenant, asked if landlords could increase rent by more than 5%.

Mayor Halliday closed the public hearing at 9:28 p.m.

Housing Manager Morales clarified that landlords had the option of increasing rents up to 5% which was approved in 2019, and rent increases could go beyond 5% due to capital improvements or if the landlord did not take increases in 2018 and 2019.

Council Member Wahab offered a motion to approve the staff recommendation with the Hayward Collective's recommendations in its letter.

Council Member Márquez seconded the motion and thanked staff for clarifying that the City was not imposing rent increases on tenants and those were specifically for the RRSO that was updated last year.

In response to Council Member Marquez's inquiry, Housing Manager Morales explained the consequences for landlords who are in violation of the RRSO and the process for tenant's petition and mediation, and language assistance for monolinguals.

Discussion ensued about the motion on the floor.

Council Member Márquez offered a friendly amendment to move staff's recommendation and direct staff to consider the options presented by the Hayward Collective in its letter and bring the adoption of the ordinance to Council at a following Council meeting.

Council Member Wahab did not accept the friendly amendment.

Further discussion ensued among City Council members and City staff regarding substantial changes to the RRSO in the Hayward Collective's recommendations which would require reconciling staff recommendation with the suggestions from the Hayward Collective and reintroduction of the ordinance.

Council Member Lamnin echoed Council Member Márquez's amendment and suggested the Homelessness-Housing Task Force (HHTF) convene a meeting to discuss the rent increase issue and consider transforming rental to ownership programs.

Mayor Halliday asked if Council Member Wahab was amenable to change her motion based on the suggestions offered by Council Member Márquez and Council Member Lamnin.

Council Member Wahab noted Council Member Márquez and Council Member Lamnin had two different considerations and asked City Attorney Lawson for advice in how to proceed.

City Attorney Lawson noted that if the ordinance is introduced as recommended by staff and the Hayward Collective, it needs to come back for adoption, possibly next week, and if in reviewing what was introduced there is the need to make substantial reconciliation, then it will require reintroduction prior to adoption.

Council Member Wahab expressed preference for that approach and noted the reason why she was hesitant to take the item back to the HHTF is because the HHTF had discussed different issues and the HHTF was for the most part is in agreement with a lot of the concerns.

Mayor Halliday asked if Council Member Márquez was still seconding the motion.

Council Member Márquez noted that her preference was to narrow the focus of the Hayward Collective letter to possibly two to three items for staff to analyze and bring back and yielded to Council Member Wahab to select them as she was the motion maker.

Mayor Halliday commented that it is not clear that there is a clear motion on the floor and will be recognizing Council Member Zermeño at this time as he has been waiting to speak.



**SPECIAL CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, July 14, 2020, 7:00 p.m.**

Council Member Zermeño noted he was open to decreasing the threshold of 5% but would not support the motion because the Hayward Collective ideas would be best vetted by the HHTF.

Council Member Mendall noted he was supportive of the staff recommendation but would be voting against the motion on the floor.

Council Member Salinas noted the motion on the floor was not clear and was disappointed the Council could not stay focused on the goal to clean up language in the RRSO.

Council Member Márquez stated she was withdrawing her second. Council Member Márquez offered a motion to move the staff recommendation and direct staff to convene a meeting of the HHTF to focus on further analyzing rent increases in Hayward and options available for the Council to consider.

Council Member Zermeño seconded the motion.

Discussion ensued among City staff and City Council members about procedural clarification regarding motions.

Mayor Halliday asked if there was anyone who wanted to second Council Member Wahab's original motion after Council Member Márquez withdrew her second. There being no seconder, Council Member Wahab's motion died for lack of a second.

Mayor Halliday announced that Council Member Márquez had made a motion which was seconded by Council Member Zermeño.

Council Member Wahab requested that Council Member Márquez restate her motion.

Council Member Márquez noted her motion included staff's recommendation and direction to staff to convene a meeting of the HHTF to discuss alternatives for residential rent increases in Hayward which would include the Department of Housing & Urban Development's Annual Adjustment Factors Rate and Consumer Price Index (CPI) changes; and bring back to the Council.

Council Member Wahab offered a friendly amendment to include the temporary and permanent relocation assistance recommendations in the Hayward Collective's letter and reevaluate the amount at the next HHTF meeting.

Council Member Márquez noted she was agreeable to having the HHTF discuss alternatives but did not want to commit to a timeline.

City Manager McAdoo asked that a timeline not be included but as soon as feasible from staff would be her recommendation.

Mayor Halliday asked if Council Member Zermeño as the seconder was agreeable to the friendly amendment.

Council Member Zermeño noted he understood those two items were already included in the Hayward Collective letter and there was no need for an amendment as they would be discussed by the HHTF, and there was no need to include a timeline.

Council Member Márquez did not accept the friendly amendment and noted the issues raised in the letter could be reviewed at a HHTF meeting but the urgency was revisiting rent increases and wanted to narrow the focus to that.

It was moved by Council Member Márquez, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolution and introduce the ordinance with direction to staff to convene a meeting of the Homelessness-Housing Task Force in September to reevaluate, discuss, and analyze residential rent increase caps.

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

Resolution 20-123, "Resolution Authorizing the Amendment to Resolution 20-060, the Resolution for the City of Hayward Fiscal Year 2021 Master Fee Schedule Associated with the Administration of Chapter 12, Article 2 of the Hayward Municipal Code Regarding the Tenant Relocation Assistance Ordinance"

Introduction of Ordinance 20- , "Adding Article 2 to Chapter 12 of the Hayward Municipal Code Relating to Tenant Relocation Assistance"

Introduction of Ordinance 20- , "Amending Article 1 of Chapter 12 of the Hayward Municipal Code Relating to Residential Rent Stabilization and Tenant Protection"

7. Transient Occupancy Tax: Adopt Resolutions Establishing November 3, 2020 as the Date for a Proposed Ballot Measure Asking Hayward Voters to Approve an Increase in the City's Transient Occupancy Tax **LB 20-038**

Staff report submitted by Director of Finance Claussen, dated July 14, 2020, was filed.



**SPECIAL CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, July 14, 2020, 7:00 p.m.**

Finance Director Claussen provided a synopsis of the staff report.

City Manager McAdoo noted the deadline for submitting Rebuttal Arguments was August 21, 2020.

Finance Director Claussen clarified the following items for City Council members related to the City's Transient Occupancy Tax (TOT): the maximum percentage increase would be a 5.5 percent increase; the public safety excise tax applies to the City's hotel guests and it is not a standard tax across all cities and it is not an uncommon tax across cities; staff will conduct an occupancy study and poll local hotels to evaluate the occupancy rate before recommending to initiate the increase of the TOT; noted the City's TOT and County's half cent sales tax measure are both taxes and one will impact people using hotels and motels and the second will apply to the majority of Hayward residents; and City hotels have not been selected to house jail inmates who tested positive for COVID-19 and FEMA only reimburses 75% of the cost.

Mayor Halliday opened the public hearing at 10:33 p.m.

A public speaker participated by calling the City Clerk's office at (510) 583-4400.

Mr. Kim Huggett, Hayward Chamber of Commerce President, noted the Chamber was in unanimous opposition to the TOT increase because of the negative impact on Hayward's recovery from the pandemic and overall economic development; and encouraged against placing the TOT on the ballot.

Mayor Halliday closed the public hearing at 10:35 p.m.

Council Member Zermeño noted the proceeds of the proposed TOT increase, if passed, will help the Hayward community and the City might need to help hotels with a market plan. Council Member Zermeño offered a motion to move the staff recommendation.

Council Member Mendall seconded the motion noting that by placing the TOT increase on the ballot, voters will have a choice, and if it passes, the Council will be thoughtful about its implementation. He noted it would create potential revenue as the economy starts to recover and help replenish emergency fund so that the City will not be forced to cut services.

Council Member Márquez expressed she would be supporting the motion and reminded all it was not the first time that a TOT increase was considered and would not go into effect immediately.

Mayor Halliday reiterated that implementation of a TOT increase would require Council action and would be reluctant to raise the TOT to the maximum 14% while hotels were suffering from lack of travel due to COVID.

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

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

Resolution 20-124, “Resolution Calling a Municipal Election in the City of Hayward for the Purpose of Submitting to the Voters a Ballot Measure Relating to an Increase in the City’s Transient Occupancy Tax; Setting Forth the Statement of the Measure to be Voted Upon; Fixing the Date and Manner of Holding the Election; and Requesting the Board of Supervisors of Alameda County to Provide for the Consolidation of the Municipal Election with the Presidential Election to be Held on November 3, 2020, and to Provide Election Services”

Resolution 20-125, “Resolution Establishing the Schedule and Policy Providing for the Filing of Ballot Arguments for the Transient Occupancy Tax Ballot Measure at the November 3, 2020 Election”

8. Hayward City Charter: Adopt Resolutions Establishing November 3, 2020 as the Date for One Proposed Ballot Measure Asking Hayward Voters to Approve Amendments to the Hayward City Charter **LB 20-037**

Staff report submitted by City Manager McAdoo, City Clerk Lens, and City Attorney Lawson dated July 14, 2020, was filed.

Discussion ensued among City Council members and City staff regarding: Section 900 of the City Charter which allows the Council to establish by resolution/ordinance other qualifications to serve as an advisory member; background on how the proposed Charter amendment was identified to be presented to the City Council which included feedback from past recruitment processes for service on City commissions and the Keep Hayward Clean and Green Task Force (KHCG TF) and given the recently approved Racial Equity Action Plan; it was noted that a Hayward community survey was not conducted to gauge the interest and input of the Hayward community; and overview of the election cost analysis which included data from prior election years; and the process for recruiting prospective members of City commissions and the KHCG TF and appointment process by the City Council.

Council Member Salinas had a point of order about a time limit for questions/comments for Council members.



**SPECIAL CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, July 14, 2020, 7:00 p.m.**

Mayor Halliday opened the public hearing at 11:25 p.m.

Public speakers participated by calling the City Clerk's office at (510) 583-4400.

Ms. Vanessa Sadsad strongly encouraged the Council to recommend amendments to the City Charter amendment to ensure City commissions are equitable and inclusive and open to the undocumented community.

Ms. Araceli Orozco expressed support for ensuring the City is more inclusive and noted Council Member Wahab's questions served to better understand the staff report.

Ms. Jasmine Gee thanked Council Member Wahab for all her questions, questioned why the City was taking on this task during a pandemic and not spending funds on priority items, and suggested the item be placed on a future agenda.

City Manager McAdoo clarified the overall election cost was \$250,000 and the additional cost of adding the measure to the ballot was in the \$5,000-\$10,000 range.

Ms. Pauline Williams noted her appreciation for Council Member Wahab and expressed disapproval of other City Council members and City staff.

Ms. Angelica Rosales expressed support for adding the measure to the ballot as she knows residents who would like to participate but were found ineligible to serve on advisory bodies.

Mr. Ian Valencia commended Council Member Wahab for her insightful questions and helping the public understand the staff report.

Mayor Halliday closed the public hearing at 11:36 p.m.

Members of the City Council thanked the City Manager, City Attorney and City Clerk for bringing the item forward.

Council Member Mendall thanked Council Member Márquez for bringing up the issue about expanding the number of residents who could serve on City commissions, noted the incremental election cost would have been higher when elections were in June, and appreciated the inclusion of gender pronoun cleanup.

Mayor Halliday offered a motion to approve the staff recommendation.

Council Member Zermeño seconded the motion noting that community members had requested that the proposal be addressed and encouraged residents to contact Council

Members if they have questions on agenda items.

Council Member Salinas noted the proposed changes were long overdue, would achieve several policy goals that Council has set over the years, would increase civic participation, and would lift prohibitive immigration laws.

Council Member Márquez mentioned that when she was appointed in 2004 she was concerned about the number of undocumented community members whose civic involvement was limited due to the eligibility criteria; noted the decision was made from hearing collective feedback; it was economically feasible; was pleased with the opportunity to change gender pronouns; and noted she would be supporting the motion.

Council Member Wahab noted she will continue to ensure the City is inclusive and transparent; noted the staff report did not address the root cause nor met the goal of having more people able to serve; favored a lottery system to fill vacancies without Council selecting people; noted the City Charter amendment was non-COVID related; the proposal felt short of inclusive effort; and there were other pending priorities that could have been addressed during the ongoing pandemic.

Council Member Lamnin asked her colleagues to have factual opinions and respect the opportunity for the public to communicate and communicate with one another; and expressed she would be supporting the motion.

It was moved by Mayor Halliday, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolution:

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

Resolution 20-126, “Resolution Calling a Municipal Election in the City of Hayward for the Purpose of Amending the City of Hayward Charter; Setting Forth the Statement of the Measure to be Voted Upon; and Requesting the Board of Supervisors of Alameda County to Provide for the Consolidation of the Municipal Election with the Presidential Election to be Held on November 3, 2020, and to Provide Election Services”

Resolution 20-127, “Resolution Establishing the Schedule and Policy Providing for the Filing of Ballot Arguments for the Charter Amendment Ballot Measure at the November 3, 2020 Election”



**SPECIAL CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, July 14, 2020, 7:00 p.m.**

CITY MANAGER'S COMMENTS

There were no comments.

COUNCIL REPORTS AND ANNOUNCEMENTS

There were no reports and announcements.

ADJOURNMENT

Mayor Halliday adjourned the special meeting at 11:56 p.m.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward