



## **CITY COUNCIL MEETING**

**777 B Street, Hayward, CA 94541**

**Council Chambers**

**<https://hayward.zoom.us/j/82822491082?pwd=z35An7WGHGpa71O9cmSvFRA1o9ru1p.1>**

**Tuesday, January 21, 2025, 7:00 p.m.**

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The City Council meeting was called to order by Mayor Salinas at 7:00 p.m. in the Council Chambers.

**Pledge of Allegiance:** Council Member Roche

### **ROLL CALL**

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

Absent: NONE

### **CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session on January 21, 2025, at 6:00 p.m., with all members present and no public speakers, regarding conference with legal counsel pursuant to Government Code section 54956.9(d)(1), City of Hayward v. Union Pacific Railroad Company, United States District Court, Northern District of California, Case No. 3:24-cv-00428-MMC. City Attorney Lawson indicated the City Council discussed the item and unanimously approved, with Council Member Zermeño moving and Council Member Roche seconding, settlement with the City receiving approximately \$350,000, resulting from various environmental violations. Staff will also pursue a maintenance agreement with Union Pacific Railroad.

### **PUBLIC COMMENTS**

Barbara Ledesma Rhinehalt, a representative for State Senator Dr. Aisha Wahab, invited all to an Immigration Townhall hosted by Senator Wahab's office on January 25, 2025, featuring presentations by local organizations such as Centro Legal de la Raza.

Ro Aguilar urged the City Council to consider "Inclusive Neighborhoods," a housing approach that integrates diverse housing types and income levels within new residential developments to foster equity and strengthen Hayward's middle class.

Antony Thomas, a local martial arts instructor, offered free self-defense seminars on the first Saturday of each month for City staff and the public.

Kellie Abreu, a Moreau High School alumnus, urged the City Council to evaluate the proposed 77-megawatt data center at Eden Landing, citing concerns over its massive power consumption; and asked for either significantly higher one-time benefits or annual contributions to address the environmental and community impact.

Aaron Horner, a South Hayward Parish, First-Pres Hayward representative, expressed concerns about the recent encampment sweep at Weekes Park; and emphasized the need for more shelters, services, and long-term strategies to prevent homelessness.

### **CITY MANAGER'S COMMENTS**

City Manager Alvarez made two announcements: 1) the January 28, 2025, City Council work session, to discuss the South Bay Connect project with Capitol Corridor staff, regarding the proposed rerouting of the Capitol Corridor and service discontinuation to Hayward's station; and 2) the Lunar New Year celebration at the Hayward Library on January 25, 2025, featuring cultural performances such as Korean traditional arts.

### **CONSENT**

Consent Items 4, 5, and 12 were removed from the Consent Calendar for comment.

1. Approve the City Council Minutes of the Special Meeting on December 10, 2024 **MIN 25-005**

It was moved by Council Member Syrop, seconded by Council Member Bonilla Jr., and carried unanimously, to adopt the City Council meeting minutes of December 10, 2024.

2. Approve the City Council Minutes of the Meeting on December 17, 2024 **MIN 25-006**

It was moved by Council Member Syrop, seconded by Council Member Bonilla Jr., and carried unanimously, to adopt the City Council meeting minutes of December 17, 2024.

3. Adopt an Ordinance Amending Reach Codes for the City of Hayward by Amending the City's Off-Street Parking Regulations (Chapter 10, Article 2) of the Hayward Municipal Code **CONS 25-001**

Staff report submitted by City Clerk Lens, dated January 21, 2025, was filed.

It was moved by Council Member Syrop, seconded by Council Member Bonilla Jr., and carried with the following roll call vote, to adopt the ordinance.

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

Ordinance 25-01, "An Ordinance Amending Reach Codes for the City of Hayward by Amending the City's Off-Street Parking Regulations (Chapter 10, Article 2) of the Hayward Municipal Code"



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4. Adopt a Resolution Accepting the Resignation of Commissioner Austin Bruckner Carrillo from the Community Services Commission, Effective Immediately **CONS 25-002**

Staff report submitted by City Clerk Lens, dated January 21, 2025, was filed.

Council Members Goldstein and Syrop congratulated Austin Bruckner Carrillo on his election to the Hayward Unified School District Board and thanked him for his years of service on the Community Services Commission.

It was moved by Council Member Syrop, seconded by Council Member Bonilla Jr., and carried with the following vote, to adopt the ordinance.

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

Resolution 25-01, "Resolution Accepting the Resignation of Mr. Austin Bruckner Carrillo from the Community Services Commission"

5. Adopt a Resolution Designating Two City-Owned Properties Located Near the Intersection of Depot Road and Whitesell Street in Hayward, California, as Surplus Land, Authorizing the City Manager to Issue Notices of Availability as Required by the Surplus Land Act, and Finding that the Action is Exempt from CEQA Review **CONS 25-003**

Staff report submitted by Assistant City Manager Youngblood and City Attorney Lawson, dated January 21, 2025, was filed.

Council Member Goldstein inquired about the future of the memory care lock-up facility capability at the Hayward Navigation Center and Assistant City Manager Claussen responded staff would look into the matter.

Council Member Syrop expressed interest in exploring the option of leasing public land rather than selling it after completing the Surplus Land Act process, noting the importance of considering all options to effectively leverage public land.

It was moved by Council Member Syrop, seconded by Council Member Bonilla Jr., and carried with the following vote, to adopt the resolution.

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

Resolution 25-002, "Resolution Designating Two City-Owned Properties Located Near the Intersection of Depot Road and Whitesell Street in Hayward, California as Surplus Land Pursuant to Government Code Section 54221; Authorizing the City Manager to Issue Notices of Availability as Required by the Surplus Land Act; Finding that the Action is Exempt from Environmental Review"

6. Adopt a Resolution Accepting the Fiscal Year 2025 Statement of Investment Policy and Delegation of Authority **CONS 25-004**

Staff report submitted by Finance Director Gonzales, dated January 21, 2025, was filed.

Council Member Syrop thanked staff for including plans to review a socially responsible investment policy in April through the Council Budget and Finance Committee.

It was moved by Council Member Syrop, seconded by Council Member Bonilla Jr., and carried with the following vote, to adopt the resolution.

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

Resolution 25-003, "Resolution Reaffirming the Statement of Investment Policy and Renewing the Delegation of Authority to Make Investments to the Director of Finance"

7. Adopt a Resolution Declaring the Vacated Right-of-Way of Valley Street, between 4th Street and C Street, as Exempt Surplus Land Pursuant to the Surplus Land Act; Authorizing the City Manager to Negotiate Disposition of the Exempt Surplus Land; and Finding that the Action is Exempt from CEQA Review **CONS 25-005**

Staff report submitted by Public Works Director Ameri, dated January 21, 2025, was filed.



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It was moved by Council Member Syrop, seconded by Council Member Bonilla Jr., and carried with the following vote, to adopt the resolution.

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

Resolution 25-004, "Resolution Declaring the Vacated Right-of-Way of Valley Street Between 4th Street and C Street Exempt Surplus Land Pursuant to Government Code Section 54221; Authorizing the City Manager to Negotiate Disposition of the Property to the Adjacent Property Owners; Finding that the Action is Exempt from Environmental Review"

8. Adopt a Resolution Authorizing the City Manager to (1) Negotiate, Approve and Execute a Cost Share Agreement Between the City of Hayward and Solcom, Inc., in a Not-to-Exceed Amount of \$304,135.10 for Emergency Repair of the Sewer Main Collapse at Hesperian Boulevard; and (2) Appropriate \$454,135.10 to Project No. 07765, Annual Emergency/Spot Line Repairs in Sewer Replacement Fund **CONS 25-006**

Staff report submitted by Public Works Director Ameri, dated January 21, 2025, was filed.

It was moved by Council Member Syrop, seconded by Council Member Bonilla Jr., and carried with the following vote, to adopt the resolution.

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

Resolution 25-005, "Resolution Authorizing the City Manager to (1) Negotiate, Approve and Execute a Cost Share Agreement Between the City of Hayward and Solcom, Inc., in an Amount Not to Exceed \$304,135.10 for Emergency Repair of the Sewer Main Collapse at Hesperian Boulevard; and (2) Appropriate \$454,135.10 to Project No. 07765, Annual Emergency/Spot Line Repairs in Sewer Replacement Fund"

9. Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement with Signet Testing Labs for On-call Material Testing and Special Inspection Services, Increasing the Contract Amount \$100,000 for a Total Not-to-Exceed Amount of \$300,000 for the Existing Term of the Agreement **CONS 25-007**

Staff report submitted by Public Works Director Ameri, dated January 21, 2025, was filed.

It was moved by Council Member Syrop, seconded by Council Member Bonilla Jr., and carried with the following vote, to adopt the resolution.

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

Resolution 25-006, "Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement with Signet Testing Labs for On-Call Material Testing and Special Inspection Services, Increasing the Contract Amount by \$100,000 for a Total Not-To-Exceed Amount of \$300,000 for the Existing Term of the Agreement"

10. Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2025 **CONS 25-008**

Staff report submitted by Human Resources Director Frye, dated January 21, 2025, was filed.

It was moved by Council Member Syrop, seconded by Council Member Bonilla Jr., and carried with the following vote, to adopt the resolution.

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

Resolution 25-007, "Resolution Approving the Amended Fiscal Year 2025 Salary Plan Designating Positions of Employment in the City of Hayward and Salary Range; and Superseding Resolution No. 24-268 and All Amendments Thereto"



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11. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Kimley-Horn in a Not-to-Exceed Amount of \$1,600,000 and Fehr & Peers in a Not-to-Exceed Amount of \$950,000 for Consulting Services for Phase 1 of the High Injury Network Safety Plan, Project No. 06942 **CONS 25-010**

Staff report submitted by Public Works Director Ameri, dated January 21, 2025, was filed.

It was moved by Council Member Syrop, seconded by Council Member Bonilla Jr., and carried with the following vote, to adopt the resolution.

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

Resolution 25-008, "Authorizing the City Manager to Execute a Professional Services Agreement with Kimley-Horn in the Amount Not to Exceed \$1,600,000 and Fehr & Peers in the Amount Not to Exceed \$950,000 for Consulting Services for Phase 1 of the High Injury Network Safety Plan, Project No. 06942 and for the Downtown Specific Plan Implementation, Project No. 05237"

12. Adopt a Resolution Ratifying Updates to the Mayor's Council Appointments List **CONS 25-030**

Staff report submitted by Kris Bondoc, Executive Assistant to Mayor and Council, dated January 21, 2025, was filed.

It was moved by Council Member Syrop, seconded by Council Member Bonilla Jr., and carried with the following vote, to adopt the resolution.

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

Resolution 25-009, "Resolution Ratifying the Mayor's Council Appointments as Shown in the Attached Council Appointments List, Dated January 21, 2025"

Council Member Bonilla Jr. expressed gratitude to Council Member Goldstein for his work as the Community Services Commission liaison and to the Mayor for appointing him as its new liaison.

Council Member Syrop requested an update to the committee assignment list to reflect the correct title of the Homelessness-Housing Task Force, now called the Housing Policy and Resource Committee.

Mayor Salinas, on behalf of the City Council, commended Finance Director Gonzales for her service to the City of Hayward during her tenure, as she prepared her transition to the City of San Leandro.

## **PUBLIC HEARING**

13. Implementation of the Hayward 2023-2031 Housing Element: Adoption of a Resolution and Introduction of an Ordinance Regarding Implementation of the Hayward 2023-2031 Housing Element; Public Hearing on Proposed Zoning Text Amendments to Hayward Municipal Code Chapter 10 (Planning, Zoning and Subdivisions), Article 1 (Zoning Ordinance), Article 2 (Off-Street Parking Regulations), Article 24 (Mission Boulevard Code) and Article 28 (Downtown Development Code) and Finding that no Further Environmental Review is Required Pursuant to the California Environmental Quality Act (CEQA) (Report from Development Services Director Buizer) **PH 25-001**

Staff report submitted by Development Services Director Buizer, dated January 21, 2025, was filed.

Development Services Deputy Director Morales announced the item and introduced Associate Planner Richard, who provided a synopsis of the staff report.

In response to Council Member Bonilla Jr. inquiry as how Hayward's Housing Element supports inclusive, affordable, and mixed-use communities, Associate Planner Richard explained that zoning districts were selected near services to promote mixed-use environments and integrate community members into central areas. Development Services Deputy Director Morales added that the Housing Element includes monitoring and updating the City's inclusionary housing ordinance periodically, with a focus on fostering inclusivity across income levels while maintaining development feasibility.

In response to Council Member Roche's question of why staff recommended an administrative use permit (AUP) for safe parking sites rather than a conditional use permit (CUP), Associate Planner Richard explained that an AUP reduces barriers for service providers while still ensuring oversight; and added that the community within a 300-foot





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radius would be notified of an application and could appeal any decisions to the Planning Commission or City Council, if needed.

Council Member Syrop received confirmation that creating a neighborhood advisory group falls outside the scope of proposed updates; and asked if appeals related to homelessness, given the state of emergency, could bypass the Planning Commission and go directly to the City Council. Associate Planner Richard explained that the Municipal Code allows any member of the City Council to call up items from Planning Commission agendas.

In response to Council Member Zermeno's inquiry about the purpose of a proposed neighborhood accountability group and how tax-exempt non-profit organizations would be identified, Associate Planner Richard explained the group was suggested by the Planning Commission to address community concerns on ongoing issues with developments, and staff had begun outreach to identify faith-based organizations and service providers.

Mayor Salinas opened the public hearing at 7:44 p.m.

Kelly Abreu commended Hayward for its strong Housing Element compliance compared to neighboring areas, highlighting the City's efforts to support initiatives such as safe parking; contrasted Hayward's compassionate approach with neighboring regions' struggles; and praised the City's progress in addressing housing challenges.

Aaron Horner emphasized the need for sanctioned camping, safe parking (including RV parking), and expanding resources such as food, bathrooms, and showers throughout Hayward to reduce crime and improve access for the unhoused; suggested distributing shelters across different neighborhoods; and recommended exploring Alameda County's Measure W funds for capital improvements to address homelessness.

Ro Aguilar expressed support for proposed Housing Element updates, expanding housing options and support services for unhoused individuals; encouraged the City to partner with other cities and non-profit organizations in applying for funding and identifying hotel locations throughout the county; and suggested staff estimate the number of units/homeless individuals that would be served on parcels listed for land use allowed.

Mayor Salinas closed the public hearing at 7:54 p.m.

Mayor Salinas acknowledged the current local, as well as regional, work underway in response to the housing crisis, noting it was dignified with the most vulnerable population.

Council Member Syrop made a motion to move the item per staff's recommendation, thanking the input provided by community members which would inform potential solutions.

Council Member Syrop received confirmation that sanctioned encampments, and “inclusive neighborhoods” are outside the scope of the proposed amendments and single room occupancy (SROs) are proposed to be permitted; and noted that venues for providing resident input currently exist without the need to introduce extra steps that could potentially delay addressing the housing crisis.

Council Member Goldstein seconded the motion; thanked staff for their extensive work on the proposed update; highlighted research from Santa Clara County showing that taking no action about homelessness costs \$62,473, compared to \$42,706 to implement solutions; emphasized the success of Hayward’s Navigation Center serving people and helping transition to permanent housing; and stressed that inaction is not only costly but has a profound human toll.

Council Member Roche thanked City staff for their compassionate approach to the Housing Element updates, emphasizing the City is creating a welcoming environment for supportive housing to address the regional housing crisis; and expressed hope that these efforts will lead to more shelters, housing, and safe parking sites.

Council Member Andrews supported the motion but advocated creating an accountability group for psychiatric and rehabilitation facilities, emphasizing its importance despite staff time concerns. Associate Planner Richard explained that such facilities require a use permit, allowing the City to impose conditions for oversight and operation.

Council Member Zermeño praised staff, colleagues, and community members for their efforts on housing and homelessness solutions.

Council Member Andrews confirmed that an accountability group can be included as a condition of approval for facilities. Associate Planner Richard clarified that requirements such as notifications or group formation would depend on the facility’s location.

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

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

Resolution 25-010, “Resolution Making Findings in Support of Adoption of Zoning Text Amendments to Chapter 10, Article 1 (Zoning Ordinance), Article 2 (Off-Street Parking Regulations), Article 24 (Mission Boulevard Code), and Article 28 (Downtown Development Code) of the Hayward Municipal Code Related to Implementation of the 2023-2031 Hayward Housing Element and Finding that the Action Does Not Require Additional Environmental Review “



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Introduction of Ordinance 24-\_, "Ordinance Amending Chapter 10, Article 1 (Zoning Ordinance), Article 2 (Off-Street Parking Regulations), Article 24 (Mission Boulevard Code) and Article 28 (Downtown Development Code) of the Hayward Municipal Code Associated with Implementation of the 2023-2031 Hayward Housing Element "

### COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Andrews announced the Southern California Wildfire Toiletry Drive with donation drop-off locations at LiUNA Local 304, Stack Records, and Brick by Brick Toys, as well as a collection event at Southland Mall (JC Penney's Parking Lot) on January 25, 2025.

Mayor Salinas indicated that Hayward deployed two fire engines to Southern California in response to the fire, praising firefighters and respondents for their valuable work.

### COUNCIL REFERRALS

There were none.

### ADJOURNMENT

Mayor Salinas adjourned the City Council meeting at 8:13 p.m., in memory of Ishmael Arellano, Victor William Morales Jr., and Bonnie Alvarez Rivera.

Ishmael Arellano was a Russell City resident and dedicated his life to church ministry; Victor William Morales Jr., graduated from Hayward schools and supported local events; and Bonnie Alvarez Rivera was a Hayward Unified School District bilingual teacher and a Hayward Education Association representative. Mayor Salinas requested that staff work with their families to plant trees in their memory.

### APPROVED

A handwritten signature in black ink, appearing to be "Mark Salinas", written over a horizontal line.

Mark Salinas  
Mayor, City of Hayward

### ATTEST:

A handwritten signature in blue ink, appearing to be "Miriam Lens", written over a horizontal line.

Miriam Lens  
City Clerk, City of Hayward