



SPECIAL CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541
Council Chamber and Virtual Platform (Zoom)
<https://hayward.zoom.us/j/89558694671?pwd=OWx0dGxjeTNPeFJMVE5qampnWWZsdz09>
Tuesday, June 14, 2022, 7:00 p.m.

The special City Council meeting was called to order by Mayor Halliday at 7:00 p.m. The City Council held a hybrid meeting in Council Chambers and virtually via Zoom.

Pledge of Allegiance: Council Member Salinas

ROLL CALL

Present:

Council Chamber: Council Members Salinas, Zermeño
Mayor Halliday

Virtual Platform (Zoom): Council Members Andrews, Lamnin, Márquez, Wahab

Absent: None

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on June 14, 2022, at 5:00 p.m., with Council Member Lamnin absent. Council Member Lamnin joined the meeting at 5:15 p.m. The Council met regarding three items: 1) conference with labor negotiators pursuant to Government Code section 54957.6 regarding all labor groups; 2) conference with legal counsel pursuant to Government Code section 54956.9 concerning City of Hayward v. Pacific Gas & Electric, Alameda County Superior Court, Case No. 21CV004641; and 3) conference with property negotiators pursuant to Government Code section 54956.8 regarding 23950 Mission Boulevard, Hayward, CA 94544, APN: 445-0001-002-00. City Attorney Lawson reported there was no action taken related to Item 1 and Item 3. Regarding Item 2, City Attorney Lawson noted that the Council unanimously approved, with Council Member Zermeño and Mayor Halliday seconding, to authorize legal counsel to dismiss without prejudice the cause of action seeking injunctive relief as to the future calculation of the Utility Users Tax related to the climate credit program. The closed session adjourned at 6:42 p.m.

PUBLIC COMMENTS

Mr. Andre Van Horn noted that a June 9, 2022, Planning Commission item related to a housing development project was continued and noted that any delays would cause the project to not start until the fall; and asked if Council would be available to hold a meeting during the recess should Council's action be required.

City Manager McAdoo noted the Council would consider the project if appealed; however, if approved at the June 23, 2022 Planning Commission meeting, then no Council action would be required, but a special meeting would be scheduled as needed.

CITY MANAGER'S COMMENTS

City Manager McAdoo made the following comments: June 20, 2022 was a non-emergency City business closure in observance of Juneteenth; June 16, 2022 was the last day to apply for service on City commissions or the Keep Hayward Clean and Green Task Force; Washington Hospital Healthcare will be designated as Alameda County's next level two trauma center within five years; the City's website has information on water efficiency practices especially during the summer months; the City's online water customer portal has officially launched and customers will receive information; and urged community participation in the Hayward Residential Design Study project for new housing and noted additional information was available on the City website.

Mayor Halliday, with no concerns received, moved Item 5 before Item 4.

CONSENT

1. Approve the City Council Meeting Minutes of the Special City Council Meeting on May 24, 2022 **MIN 22-079**

It was moved by Council Member Andrew, seconded by Council Member Salinas, and carried unanimously, to approve the minutes of the Special City Council meeting on May 24, 2022.

2. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Capitol Advocacy Partners for Federal Legislative Advocacy in an Amount Not-to-Exceed \$68,076 **CONS 22-372**

Staff report submitted by Public Works Director Ameri, dated June 14, 2022, was filed.

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

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

Resolution 22-149, "Resolution 22-149, "Resolution Authorizing the City Manager to Negotiate and Execute a One-Year Professional Services Agreement with Capitol Advocacy Partners for Federal Legislative Advocacy in an Amount Not-to-Exceed \$68,076"



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3. Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Townsend Public Affairs, Inc. for State Legislative Advocacy in an Amount Not-to-Exceed \$60,000 Annually **CONS 22-374**

Staff report submitted by Public Works Director Ameri, dated June 14, 2022, was filed.

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

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

Resolution 22-150, "Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Townsend Public Affairs, Inc. for State Legislative Advocacy in an Amount Not-to-Exceed \$60,000 Annually"

WORK SESSION

Work Session Item 5 was heard before Work Session Item 4.

4. 2023 Electrification Reach Code: Information and Discussion (Report from Public Works Director Ameri) **WS 22-020**

Staff report submitted by Public Works Director Ameri, dated June 14, 2022, was filed.

Public Works Director Ameri announced the item and introduced Environmental Services Manager Pearson who provided a synopsis of the staff report and acknowledged that Building Official Noorzad, Housing Manager Morales, and Consultant Wee with TRZ were available to answer any questions.

Mayor Halliday opened the public comment section at 8:31 p.m.

Mr. Igor Tregub, Co-Chair of the Sierra Club San Francisco Chapter, expressed support of the proposed Electrification Reach Code and the most proactive approach around decarbonization; noted the proposal will extend the solar mandate for high-rise residential

buildings and recommendations on Electric Vehicle (EV) charging infrastructure; and added that many affordable housing types built now were either zero or minimal parking.

Mayor Halliday closed the public comment section at 8:34 p.m.

It was noted that Mayor Halliday, Council Member Zermeño and Council Member Márquez are members of the Council Sustainability Committee and had reviewed the presentation at a committee meeting previously.

Discussion ensued among members of the City Council and City staff regarding: ban on gas and how one could be considered during the Reach Code update schedule in three years; phased approach for gas appliances in trying to reach carbon neutrality by 2045; outreach to the public and presentation to the Planning Commission and Council Sustainability Committee; EV chargers at multi-family units and mechanisms for addressing cost concerns posed by property managers; attached Accessor Dwelling Units (ADUs) were not addressed during the proposed Reach Code because sometimes they share the same hot water line or same adducted heating system; and if the new Reach Code was adopted in October or November, it would take effect January 2023 and would be in effect through the end of 2025.

There was general support for a new Reach Code and preparation of a draft ordinance for review by Council and members of the Council offered the following recommendations: consider ways to mitigate costs to continue to build by affordable design and doing it at the start as recommended for solar energy; explore grant programs through the state to help offset costs in new construction of affordable housing; consider installing EV chargers in new buildings; agreed that requiring electric appliances in place of gas-fired appliances for new buildings rather than retrofitting them would be more cost effective; add the Sierra Club to the distribution list of future Council Sustainability Committee meeting agendas; and reach out to affordable housing partners as they receive substantial tax credits.

5. California Air National Guard Site: Proposed Development of the California Air National Guard Site at the Hayward Executive Airport (Report from Public Works Director Ameri) **WS 22-021**

Staff report submitted by Airport Manager McNeeley, dated June 14, 2022, was filed.

Public Works Director Ameri announced the report and introduced Airport Manager McNeeley who, along with Mr. Mark Heavey and Mr. Karl Higgins, from Montecito Development Company provided an overview of the proposed development at the California Air National Guard (CANG) Site at the Hayward Executive Airport.

There being no public comment, Mayor Halliday opened and close public comment at 7:34 p.m.



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Members of the City Council thanked City staff and members of the Montecito Development Company for their efforts with the proposal.

Council Member Zermeño, Council Member Salinas and Mayor Halliday were recognized for serving on the Council Airport Committee and reviewing the item.

Discussion ensued among City Council; City staff; Mr. Mark Heavey and Mr. Karl Higgins with Montecito Development Company; Dr. Nicholas Baham with Ethnic Studies at CSUEB; and Mr. Gary Drew, Principal at Ware Malcomb Architects regarding: the proposed history walk and opportunities for young people to be a part of the history walk; gathering information on Russell City and the importance of commemorating it; land uses being proposed for the redevelopment of the Skywest Golf Course, highlighting a business park as one; HARD would be included in conversations related to Skywest; prevailing wage and working with local building and construction trades; the conceptual site plan and square footage for the Community Center and Tuskegee Airmen Museum; community outreach; airport staff may manage the proposed community center if the goal was to keep consistent uses at the airport or insular uses;

inclusion of businesses at the site for uses such as life sciences and advanced manufacturing and the need to fast track the permitting process for such uses; release of the CANG parcel for non-aeronautical use by the Federal Aviation Administration (FAA); the history walk would serve as a trail accessible to the public and onsite employees; design guidelines for the proposed project; outreach to Hayward Rotary; connectivity to the existing architecture and preservation of the historical signage was appreciated; and the estimated time for the proposed site to be built and operational was 15 to 18 months.

There was general support for proposed development of the California Air National Guard Site at the Hayward Executive Airport and members of the City Council provided the following recommendations: consider expanding the size of the proposed Community Center; continue the community outreach; partner with CSUEB and other partners; consider engaging Ben Henderson as he was one of the early advocates for honoring the Tuskegee Airmen; encourage to do the analysis of programming for the Community Center and clarify the size of the proposal; provide information about the Project Labor Agreement (PLA) related to the proposed project and collaboration with building trades; start the process for release of the CANG parcel by the FAA as soon as possible; continue the collaboration with individuals developing Skywest to ensure continuity and synergy; continue to engage the Hayward Area Historical Society and the Russell City Committee in conversations related to Russel City; consider trail connectivity between Skywest properties, San Lorenzo Trail, and the shoreline; consider presenting the proposal to the Hayward Rotary; and continue to create spaces that serve as destination zones; engage the Airport Land Use Commission in the process.

LEGISLATIVE BUSINESS

6. Townsend Public Affairs: Presentation to the Hayward City Council by Legislative Advocacy Firm, Townsend Public Affairs, Inc., Providing an Update and Overview of the City's Legislative Advocacy Efforts and Upcoming Relevant Legislation and the Legislative Advocacy 2021-2022 Annual Report (Report from City Manager McAdoo)
LB 22-013

Staff report submitted by Finance Director Claussen, dated June 14, 2022, was filed.

City Manager McAdoo announced the report noting the item did not seek Council action and introduced Townsend President Christopher Townsend and Deputy Director Eric Thronson with the state lobbying firm Townsend Public Affairs who provided a summary of 2021-2022 Annual Report including recent accomplishments and upcoming legislation that aligns with goals of the City's Legislative Program.

Discussion ensued among members of the City Council and City staff regarding: temporary license plate legislative bills and possibility of Townsend Public Affairs getting an informational hearing this fall which could lay the foundation for a legislative proposal in the spring; debriefing process when Townsend Public Affairs is not successful with legislative bills and securing grants that focus on the City's initiatives; affordable housing at all levels and for all communities through the Regional Housing Needs Assessment (RHNA) and bringing back redevelopment; the focus on rental housing related to affordable housing does not address ownership goals and getting away from the tax credit increment financing; AB 256 (Racial Justice Act for All) is a bill held on suspense which is considered a "dead" bill for the current session but could be reintroduced during the next session; \$5.4 million in surplus funds and \$3 billion from operating surplus set aside for legislative priorities; speed cameras bill which is currently a "dead" bill; AB 2237 (Friedman), opposed by ACTC and ABAG, as this would rank projects according to State climate goals and Plan Bay Area 2050 and prioritize funding based on the rank was amended in June to make it more workable; and Leginfo.legislature.ca.gov provides information on bills and individuals could create an account to track bills and receive notifications and League of California Cities has a bill tracking feature on its website.

Members of the City Council thanked Townsend Public Affairs for its advocacy efforts in securing funding opportunities that align with Council's goals and offered the following recommendations: work on a legislative proposal related to license plates; look into fireworks at the state level as illegal fireworks negatively impact the community; bring the next update to the City's Legislative Program as a work session to allow for discussion and Council input; look into discussion mandating navigation centers in every city in California; look into why state colleges and universities do not pay for fire services; consider that funds generated from speed cameras could be used to aid victims of accidents; continue to



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watch AB 2237 (Friedman); add content on City website outlining what issues fall under the purview of county or state jurisdictions and have contact information for them; consider having a Townsend representative interviewed and broadcasted on Comcast Channel 15 in order to provide additional information on tracking bills or have a community forum to address questions to educate the community about bills of interest.

Mayor Halliday indicated there were no public members wishing to speak at 9:31 p.m.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Salinas announced a Hayward Community Family Fair on June 17, 2022 at Tennyson Park (Mia's Dream Come True playground) for community resources/information; Words for Lunch program would be commencing the week of June 20, 2022 at the Heritage Plaza and Mia's Dream Come to True playground; and congratulated Hayward high schools on their graduation.

Council Member Andrews invited all to the Juneteenth Wellness Festival on June 18, 2022 at Heritage Plaza in the morning and announced the Russell City Blues Festival was happening at City Hall Plaza in the afternoon.

Mayor Halliday added that the Martin Luther King Jr. Annual Celebration Committee would have a booth at the Juneteenth Wellness Festival event.

Council Member Márquez thanked the Hayward Police Department for launching multiple Zoom meetings and an open house for community members regarding police equipment defined by the State as military equipment; thanked the firefighters of Local 1909 for supporting Hank a young boy battling cancer and making him an honorary member; and acknowledged that Mayor Halliday was honored at Assemblymember Quirk's Women of the Year Celebration on June 11, 2022.

Council Member Zermeño shared that member of the sister city from Arandas, Mexico expressed their gratitude to the city for their warm welcome.

Mayor Halliday stated that June was designated as Pride Month in Hayward and the Pride Flag is flying at the Plaza; and spoke about the San Lorenzo Library hostile incident against transgender members and stressed that such behavior is not tolerated at Hayward libraries.

COUNCIL REFERRALS

7. City Council Referral: Request for Consideration of Assembly Bill 256 (Racial Justice Act for All) and its Original Statute Assembly Bill 2542 (California Racial Justice Act) (Report from Council Members Andrews and Márquez) **RPT 22-064**

Referral memorandum submitted by Council Members Andrews and Márquez, dated June 14, 2022, was filed.

Council Member Márquez indicated the referral sought support for staff drafting a resolution in support of AB 256 (Racial Justice Act for All) and to encourage legislators to bring the bill back during the next legislative cycle.

Council Member Andrews supported the referral and the opportunity to show equitable treatment of individuals; and recognized community member Collin Thormoto who encouraged members to do more research on the item and bring it to the full Council.

There being no public comment, Mayor Halliday opened and closed the public comment at 9:51 p.m.

In response to Mayor Halliday's request for an example when a state seeks a criminal conviction or sentence based on race, ethnicity or national origin, Council Member Márquez responded jury selection not being diverse and comments made in court proceedings.

City Manager McAdoo added that if the Council wanted the item to be brought back an analysis could be included in the staff report.

In response to Council Member Lamnin's question regarding process, City Manager McAdoo responded that staff could do more research which would inform recommended action via a resolution or letter in support.

Council Member Márquez made a motion directing staff to conduct an analysis to determine whether a resolution, a letter in support or signing on a petition would be the best approach to respond to the referral request. The motion was seconded by Council Member Andrews.

Council Member Wahab requested that the item move forward without returning to the Council and supported sending a letter of support.

Mayor Halliday stated that the item should return to the Council because it merits further public discussion.

Council Member Wahab expressed support for the item and requested the item be shared with other jurisdictions and noted the diversification of grand juries has been a complaint of community members.



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It was moved by Council Member Márquez, seconded by Council Member Andrews, and carried by the following roll call vote directing staff to conduct an analysis to determine whether a resolution, a letter in support or signing on a petition would be the best approach to respond to the referral.

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

NOES: None

ABSENT: None

ABSTAIN: None

ADJOURNMENT

Mayor Halliday adjourned the special meeting at 10:00 p.m.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward