

MINUTES OF THE CITY COUNCIL MEETING OF THE CITY OF HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 1, 2016, 7:00 p.m.

The City Council meeting was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Jones.

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Mendall, Jones, Peixoto, Lamnin,
Márquez
MAYOR Halliday
Absent: None

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Mayor Halliday referred to a request submitted by Mr. Benjamin Goulart regarding a presentation. It was noted that the City Manager would connect with Mr. Goulart.

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson announced that the Council convened in closed session concerning two items: 1) Conference with legal counsel pursuant to Government Code 54956.9 regarding S.E.I.U., Local 1021/City of Hayward, P.E.R.B., Case Nos. SF-CE-1075-M, SF-CE-1117-M, SF-CE-1118-M, SF-CE-1174-M, SF-CO-320-M, SF-CE-321-M; and 2) Conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated litigation case; and noted there was no reportable items.

PRESENTATION

City Manager David recognized Assistant City Manager McAdoo for being awarded with the 2015 Municipal Management Association of Northern California Wes McClure Award and acknowledged her contributions to the City Manager profession. Mayor Halliday congratulated Ms. McAdoo for such recognition.

PUBLIC COMMENTS

Mr. Jim Drake, Hayward resident, referred to an article entitled "Hayward fire chief allowed to keep job."

Ms. Wynn Grich, Hayward resident, referred to documents related to chemtrail spraying and also spoke about rent control.

Mr. Kim Huggett, Hayward Chamber of Commerce President, congratulated two Hayward companies, Inland Metal Technologies and Motiv Power Systems, for the 2016 East Bay Innovation Awards.

Ms. Lisa Jackson, Work Based Learning Director, spoke about innovation projects that connects Hayward students with local businesses, and showed a logo created by Hayward student.

Mr. Thomas Hartmann, was concerned about vehicles turning left from B Street onto Mission Boulevard; and suggested eliminating one crosswalk on the south approach at the intersection of Mission Boulevard and B Street.

Ms. Felicia Sandoval, Hayward resident and City employee, urged the City to not appeal the Public Employee Relations Board (PERB) decision.

Mr. Charlie Peters, Clean Air Performance Professionals representative, referred to documents for the record related to smog check.

Council Member Zermeño announced a Become a Citizen workshop for assistance with citizenship applications on March 5, 2016, at Glad Tidings Church.

Consent Item No. 2 and No. 3 were pulled for discussion.

CONSENT

1. Approval of the Minutes of the City Council Meeting on February 16, 2016 MIN 16-015 It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried unanimously, to approve the minutes of the City Council Meeting on February 16, 2016.

2. Adoption of Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with National Security Industries to Provide Unarmed Security Services at City Hall, Cinema Place, and Hayward Executive Airport CONS 16-077

Staff report submitted by Management Fellow James, dated March 1, 2016, was filed.

Mr. Jim Drake, Hayward resident, inquired about the bidding process for the proposal. City staff confirmed that sixteen responses were received, three were invited to interview, and one firm was selected.

It was moved by Council Member Lamnin, seconded by Council Member Peixoto, and carried unanimously, to adopt the following:

Resolution 16-028, "Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with National Security Industries to Provide Unarmed Security Services"



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3. Water Pollution Control Facility Digester Improvement Project: Approval of Plans and Specifications, and Call for Bids CONS 16-111

Staff report submitted by Director of Utilities and Environmental Services Ameri, dated March 1, 2016, was filed.

It was moved by Council Member Lamnin, seconded by Council Member Peixoto, and carried unanimously, to adopt the following:

Resolution 16-029, "Resolution Approving Plans and Specifications for the Water Pollution Control Facility Digester Improvement Project, Project No. 07566 and Call for Bids"

PUBLIC HEARING

4. Public hearing to consider formation of the Hayward Geologic Hazard Abatement District (GHAD) related to the approved La Vista Development, and appointment of the Hayward GHAD Board of Directors (Report from Development Services Director Rizk) PH 16-012

Staff report submitted by Contract Development Review Engineer Rei, dated March 1, 2016, was filed.

Development Services Director Rizk announced the report and introduced Contract Development Review Engineer Rei who provided a synopsis of the staff report.

Discussion ensued among Council members, City staff, and Mr. Jim Summers, President of La Vista, L.P., related to: the responsibility of the Hayward Geologic Hazard Abatement District (GHAD) Board of Directors; setting up engineering firm and assessments; and the Proposition 218 vote.

There being no public comments, Mayor Halliday opened and closed the public hearing at 7:45 p.m.

It was moved by Council Member Peixoto, seconded by Council Member Jones, and carried unanimously, to adopt the following:

Resolution 16-030, "Resolution Approving the Creation of the Hayward Geologic Hazard Abatement District (GHAD) and Appointing the City Council of the City of Hayward as the GHAD Board of Directors"

5. Amendment to the La Vista Project Development Agreement requiring adoption of a Resolution and Introduction of an Ordinance to Extend its Term for Five Years and Update the Project Schedule - The Project is Located at 28816 Mission Boulevard in eastern Hayward PH 16-016

Staff report submitted by Senior Planner Golubics, dated March 1, 2016, was filed.

Development Services Director Rizk announced the report and introduced Senior Planner Golubics who provided a synopsis of the staff report. Mr. Golubics noted that the Council was in receipt of a letter from Hayward Tennyson, LLC. in support of the proposed five year extension of the La Vista Development Agreement by and between La Vista, L.P., and the City of Hayward.

Discussion ensued among Council members, City staff, and Mr. Jim Summers, President of La Vista, L.P., related to: slide material from the Garin Vista landslide; the applicant's additional contribution of \$1.5 million; and the timeline for the completion of La Vista Park Phase 1 and subdivision improvements including the Tennyson Road and Alquire Parkway extensions.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:13 p.m.

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

Council Member Mendall asked staff to think about the idea of using the additional \$1.5 million toward building the park.

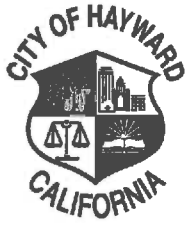
Council Member Márquez expressed she would support the motion.

Mayor Halliday noted there were many amenities in the project, benefits to the City, and the applicant had met inclusionary housing obligations.

It was moved by Council Member Mendall, seconded by Council Member Zermeño, and carried unanimously, to adopt the following:

Resolution 16-031, "Resolution Authorizing Amendments to the La Vista Project Development Agreement"

Introduction of Ordinance 16-_, "An Ordinance Authorizing Execution of Amendment to the La Vista Project Development Agreement to Extend the Terms of the Agreement by Five Years to May of 2021 and Incorporating a Revised Project Schedule"



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LEGISLATIVE BUSINESS

6. Adoption of a Resolution Placing Renewal of the Utility User Tax (UUT) on the June 2016 Ballot LB 16-022

Staff report submitted by Assistant City Manager McAdoo, dated March 1, 2016, was filed.

City Manager David noted that staff had distributed to the Council a revised resolution that corrected the ballot language to meet the seventy-five word count; and introduced Assistant City Manager McAdoo who provided a synopsis of the staff report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:24 p.m.

Council Member Márquez offered a motion to approve the revised resolution placing the renewal of the Utility User Tax (UTT) at the current rate of 5.5% for a period of twenty years and expiring in 2039.

Council Member Mendall seconded the motion.

Council Member Lamnin supported the motion and asked if the language "video/cable" needed to be included in the ballot language. City staff noted that the proposed ballot language was consistent with the language that the voters had approved in 2009 and had been vetted to assure consistency with Federal law.

Mayor Halliday noted she would be supporting the motion.

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried unanimously, to adopt the following:

Resolution 16-032, "Resolution of the City of Hayward Establishing June 7, 2016, as the Date for an Election on a Proposed Ballot Measure Seeking Voter Approval Relating to the Renewal of the Utility Users Tax for Twenty Years and Requesting the Board of Supervisors of Alameda County to Consolidate Said Election with the Presidential Direct Primary Election; and Authorizing Certain Other Election Activities"

CITY MANAGER COMMENTS

There were none.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

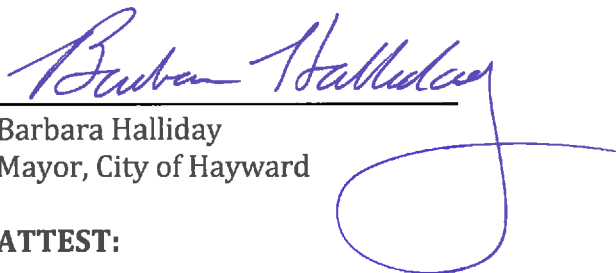
Mayor Halliday noted that the next Council meeting would be held on March 15, 2016.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 8:31 p.m., in memory of Annette Garin Warren who passed away on February 20, 2016.


Ms. Annette Garin Warren was the daughter of Anna McAllister Garin and Andrew John Garin who owned a ranch, a portion of which is now part of the Garin Regional Park in the Hayward hills; was a lifelong resident of Hayward; attended the old Markham School in Hayward; was a longtime member of All Saints Parish; was a devoted member of the Order of Malta helping the poor and sick; and served on the St. Rose Hospital Foundation Board. Mayor Halliday offered condolences to the family and asked staff to work with the Warren family to dedicate a tree in memory of Annette Garin Warren.

APPROVED:



Barbara Halliday
Mayor, City of Hayward

ATTEST:



Miriam Lens
City Clerk, City of Hayward