



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

Action Minutes City Council

Tuesday, September 27, 2016

7:00 PM

Council Chambers

CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Council Member Lamnin

ROLL CALL

Present: 7 - Council Member Francisco Zermeno, Council Member Al Mendall, Council Member Marvin Peixoto, Council Member Sara Lamnin, Council Member Elisa Marquez, Mayor Barbara Halliday, and Council Member Mark Salinas

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson announced the Council convened in closed session concerning four items: 1) conference with legal counsel pursuant to Government Code 54956.9 regarding Goodfellow Top Grade Construction, LLC v. City of Hayward Alameda County Superior Court, No. RG15770542; 2) anticipated litigation; and 3) conference with property negotiators pursuant to Government Code 54956.8 regarding State-owned parcels along Route 238 Bypass Alignment. Council provided direction to staff related to Item 2 and took no reportable action on Items 1 and 3.

City Attorney Lawson added that the City Council unanimously approved to add an item to the agenda related to anticipated litigation pursuant to Government Code 54954.2(b)(2) because the matter came to the attention of the City subsequent to the posting on the agenda. Council provided direction to staff.

Mayor Halliday announced that Public Hearing No. 6 would not be discussed and it would be continued to October 18, 2016.

PRESENTATIONS

The City of Hayward Good Citizen Award

Legislative Update by Assembly Member Bill Quirk

Proclamation Designating October 1, 2016 and All First Saturdays of Future Octobers as Bay Day in the City of Hayward

PUBLIC COMMENTS

Ms. Victoria Stump
Mr. Steve Dunn
Mr. Luis Reynoso
Mr. Kim Huggett
Mr. Charlie Peters
Mr. Joe Ramos
Mr. Jim Drake
Mr. Robert Sakai
Mr. Michael Sweeney
Council Member Zermeño
Council Member Márquez
Council Member Salinas

CONSENT

Approval of the Consent Calendar

A motion was made by Council Member Marquez, seconded by Council Member Mendall, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

1. [Approval of Final Map Tract 7768 - Arf Avenue Development - associated with the previously approved tentative map and proposed development of nine single family detached homes on a 1.59 acre site at the corner of Arf Avenue and Baumberg Avenue in the Mount Eden Area, APN 456-0048-004-02; Peak Financial Group \(Applicant/Owner\)](#)

Consent Item approved.

2. [Authorization for the City Manager to Execute an Agreement with KBM Workspace for the Purchase of Office Modules and Furniture for the Criminal Investigation Bureau of the Hayward Police Department](#)

Consent Item approved.

3. [Revisions to the City's Conflict of Interest Code](#)

Consent Item approved.

4. [Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2017](#)

Consent Item approved.

WORK SESSION

5. [Request to Consider Allowing Release of All Residential Building Permits Prior to Construction of the Main Tenant Building at the Eden Shores Retail Center \(Report from Development Services Director Rizk\)](#)

Information Item Only.

PUBLIC HEARING

6. [2016 Update of the City of Hayward Affordable Housing Impact Fees \(Report from Director of Library and Community Services Reinhart\)](#)

Continued to October 18, 2016.

7. [Proposed New Single-Family Home on an Undeveloped Site with Slopes that Exceed 20% Located at the Terminus of Dryden Court \(Assessor's Parcel Number 081D-2086-064-00\) for Bijan Mashaw \(Applicant/Owner\). Proposed Project Includes Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program \(Report from Development Services Director Rizk\)](#)

A motion was made by Council Member Mendall, seconded by Council Member Zermeño, to approve the staff recommendation with two amendments: 1) addition of a Condition of Approval related to locking mailboxes; 2) removal of Condition of Approval No. 19. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

LEGISLATIVE BUSINESS

8. [Adoption of a Resolution Changing the Composition of the Council Economic Development Committee \(Report from City Manager McAdoo\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Mendall, to approve the staff recommendation with an amendment to the Resolution. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Mayor Halliday, and Council Member Salinas

Nay: 1 - Council Member Marquez

9. [Approval of Resolutions Supporting State Proposition 55 and Opposing State Proposition 65 \(Report from City Manager McAdoo\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Márquez, to approve Support for Proposition 55. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

A motion was made by Council Member Mendall, seconded by Council Member Zermeño, to approve Opposition to Proposition 65. The motion carried by the following vote:

Aye: 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

ADJOURNMENT

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

COUNCIL MEETING, October 4, 2016, CANCELED

SPECIAL COUNCIL MEETING, Thursday, October 13, 2016