



CITY COUNCIL MEETING
777 B Street, Hayward, CA 94541
Council Chambers

<https://hayward.zoom.us/j/83639328548?pwd=ZUdDZE5lM2R1dHNFbVJoVXlBckdmQT09>
Tuesday, March 26, 2024, 7:00 p.m.

The City Council meeting was called to order by Mayor Salinas at 7:04 p.m. The City Council held a meeting in the Council Chambers and virtually via the Zoom platform.

Pledge of Allegiance: Council Member Goldstein

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

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on March 26, 2024, at 5:30 p.m., with Council Member Bonilla Jr. absent, six members of the Council present and no public speakers, regarding three items: 1) conference with labor negotiators pursuant to Government Code section 54957.6 regarding negotiations with all labor groups; 2) conference with legal counsel pursuant to Government Code section 54956.9(d)(1) regarding pending litigation, Cristina Ramirez Fonua, et al., v. Cit of Hayward, et al., US District Court, Northern District of California, Case No. 3:21-cv-03644-RS; and 3) conference with legal counsel pursuant to Government Code section 54956.9(d)(2) regarding one anticipated litigation matter. City Attorney Lawson reported that Council discussed Item 1 and gave direction to Council: regarding Item 2, the Council unanimously approved, with Council Member Goldstein, seconded by Council Member Zermeño, settlement of the lawsuit in the amount of \$875,000; and regarding Item 3, the Council discussed the item but otherwise took no reportable action. The closed session adjourned at 6:55 p.m.

PUBLIC COMMENTS

Scott Rafferty noted the Asian American community asked for transforming the at-large election system to district-based elections two years ago; cited historical corruption and discrimination associated with at-large systems; and highlighted the urgency for electoral reform to ensure fair representation.

Peggy Guernsey, Hayward resident, spoke regarding the Hayward Animal Shelter's budget reductions during the pandemic, and requested to reinstate the animal shelter's budget, emphasizing the need for enhanced services and facilities to improve animal welfare and adoption rates.

CITY MANAGER'S COMMENTS

City Manager McAdoo made three announcements: 1) the City of Hayward is seeking interested Hayward youth aged 13-20 to serve on the Hayward Youth Commission, with an

application deadline of May 30, 2024. 2) the Hayward Library is holding a community conversation about Artificial Intelligence (AI) on March 29, 2024, at the library; and 3) the Public Works Sustainability Division is organizing its annual Earth Day celebration on April 20, 2024, at Weekes Park.

CONSENT

1. Approve the Minutes of the City Council Meeting on March 12, 2024 **MIN 24-039**
It was moved by Council Member Roche, seconded by Council Member Goldstein, and carried unanimously with Council Member Bonilla Jr., absent, by the following roll call vote, to adopt the City Council meeting minutes of March 12, 2024.

2. Adopt a Resolution Authorizing the City Manager to Execute the Project Initiation Document for the SR-92/Whitesell Interchange Project, Project No. 05334 **CONS 24-134**

Staff report submitted by Public Works Director Ameri, dated March 26, 2024, was filed.

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

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

Resolution 24-051, "Resolution Authorizing the City Manager to Execute the Project Initiation Document for the SR 92/Whitesell Interchange Project, Project No. 05334"

3. Adopt a Resolution Authorizing the City Manager to Amend the Agreement with Bay Area Community Services (BACS) for Fiscal Year 2023-2024 Hayward Navigation Center Operations for an Amount Not-to-Exceed \$2,500,894 **CONS 24-139**

Staff report submitted by Assistant City Manager Youngblood, dated March 26, 2024, was filed.

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

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



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Resolution 24-052, "Resolution Authorizing the City Manager to Amend the Agreement with Bay Area Community Services (BACS) for Fiscal Year 2023-2024 Hayward Navigation Center (HNC) Operations for an Amount Not-To-Exceed \$2,500,894"

4. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Carollo Engineers for Construction Management for the Water Resource Recovery Facility (WRRF) Improvements - Phase II Project, Project Nos. 07749, 07760 and 07786, in an Amount Not-to-Exceed \$949,625 **CONS 24-142**

Staff report submitted by Public Works Director Ameri, dated March 26, 2024, was filed.

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

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

Resolution 24-053, "Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Carollo Engineers, in an Amount Not-To-Exceed Nine Hundred Forty-Nine Thousand Six Hundred and Twenty-Five Dollars (\$949,625) for Construction Management Services for the Water Resource Recovery Facility (WRRF) Improvements Phase II Project, Project Nos. 07749, 07760 and 07786"

5. Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Alves Street and Leighton Street Drainage Improvements, Project No. 07794 **CONS 24-149**

Staff report submitted by Public Works Director Ameri, dated March 26, 2024, was filed.

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

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

Resolution 24-054, "Resolution Approving Plans and Specifications and Call for Bids for Alves Street and Leighton Street Drainage Improvements, Project No. 07794"

6. Adopt a Resolution Approving Plans and Specifications for the Purchase of Continuous Deflective Separator (CDS) Units, and Calling for Bids for a Trash Capture Device Installation on Arf Avenue, Project No. 07746 **CONS 24-151**

Staff report submitted by Public Works Director Ameri, dated March 26, 2024, was filed.

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

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

Resolution 24-055, "Resolution Approving Plans and Specifications, Purchasing Continuous Deflective Separator Unit, and Calling for Bids for a Trash Capture Device Installation on Arf Ave, Project No. 07746"

7. Adopt a Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2024 **CONS 24-154**

Staff report submitted by Human Resources Director Frye, dated March 26, 2024, was filed.

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

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



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Resolution 24-056, "Resolution Approving the Amended Fiscal Year 2024 Salary Plan Designating Positions of Employment in the City of Hayward and Salary Range; and Superseding Resolution No. 24-012 and All Amendments Thereto"

8. Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement between the City of Hayward and Maze & Associates for Audit and Financial Services Not-to-Exceed \$389,807 **CONS 24-159**

Staff report submitted by Finance Director Gonzalez, dated March 26, 2024, was filed.

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

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

Resolution 24-057, "Resolution Authorizing the City Manager to Execute a Professional Services Agreement Between the City of Hayward and Maze and Associates for Audit and Financial Services for the City of Hayward for an Amount Not-To-Exceed \$389,807"

9. Adopt a Resolution Accepting and Filing the Annual Comprehensive Financial Report for the Year Ended June 30, 2023; and of the Memorandum on Internal Control and Required Communications **CONS 24-162**

Staff report submitted by Finance Director Gonzalez, dated March 26, 2024, was filed.

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

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

Resolution 24-058, "Resolution Accepting the Comprehensive Annual Financial Report for the Year Ended June 30, 2023; and the Memorandum on Internal Control and Required Communications"

WORK SESSION

10. Russell City Reparative Justice Project: Work Session to Receive the Recommendations from the Russell City Reparative Justice Project Steering Committee **WS 24-005**

Staff report submitted by Assistant City Manager Youngblood, dated March 26, 2024, was filed.

City Manager McAdoo and Assistant City Manager Youngblood provided a synopsis of the staff report.

Russell City Reparative Justice Project (RCRJP) Steering Committee Co-Chairs Aisha Nowles and Liz Moran Sanchez provided a PowerPoint presentation on behalf of former residents and descendants of the Russell City community, emphasizing the collective efforts and historical significance of their work. It was noted that the process resulted in the creation of 26 draft recommendations (Attachment II – List of 26 recommendations) aimed at repairing the harm, restoring the land, and repaying the debt incurred by the Russell City community due to past injustices.

Mayor Salinas opened the public comment section at 7:46 p.m.

Michael V. Johnson emphasized the challenges faced by the RCRJP Steering Committee, noting that the process of formulating recommendations was influenced by external guidelines and that the research support team ceased their collaboration prematurely; and clarified that the draft recommendations presented were not directly created by the committee but were instead prioritized by them.

Marian Johnson, a descendant of Russell City residents, corrected the narrative from relocation to forced removal and emphasized the need for genuine reparative justice; highlighted discrepancies and omissions in the historical record, specifically mentioning the overlooked Santucci Farm map; and called for transparency and thoroughness.

Carolyn Johnson, daughter of Jessie and Clarence Johnson, shared the impact of forced relocation from Russell City on her family, highlighting the loss of property ownership and the enduring financial struggles resulting from redlining and displacement; emphasized the invalidity of contracts signed under duress; and pointed out discrepancies in compensation for land.

Sabrina Aranda, a descendant of Russell City, expressed appreciation for Hayward's acknowledgment of past wrongs through an official apology to Russell City descendants; urged the Council to support and implement the reparative justice recommendations and allocate necessary resources; and emphasized the importance of focusing in revitalizing the community and implementing measures to prevent similar injustices in the future.



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James Knowles, Hayward resident and Alameda County Reparations Commission member, shared his personal journey from a challenging childhood in Russell City through a successful career, attributing his resilience to the Russell City community; and supported the steering committee's recommendations for reparative justice.

Stephanie Spencer highlighted the historical injustice faced by Russell City residents; urged the Council to use its authority to make decisions that can help restore the Russell City community through reparations; and asked the Council to accept the recommendations.

Velda Goe, descendant of Russell City, shared a personal account of discovering her family's significant ties to Russell City through her ancestors; expressed gratitude towards Hayward for acknowledging its history; and urged swift action to provide comfort and restitution to those affected.

Gloria Bratton Moore, Russell City descendant and RCRJP Steering Committee member, expressed support for the 26 reparative justice recommendations; and thanked the City for its apology, forming the steering committee, efforts to address the ramifications of systemic and structural discrimination and rectify the harm endured by the Russell City community.

Tony Wynn shared his family's connection to Russell City, highlighting a missed opportunity to own land and loss due to the forced relocation in 1963; and advocated for the Council to honor the reparative justice recommendations, recognizing the lasting impact of land and wealth loss on her family.

Artavia Berry, former Community Services Commission member and current Alameda County Reparations Commission member; praised the progress made thus far by the RCRJP Steering Committee; offered support for the 26 recommendations; and committed to bringing the outcome of the Council's meeting to the Alameda County Reparations Commission to seek further support and continuation of reparative actions.

Rafeeq Muhammad, formerly known as Buddy Pryor III and descendant of Russell City, shared the history and contributions of his ancestors to Russell City, emphasizing their community leadership efforts to improve community services since 1945; and urged the Council to adopt the RCRJP Steering Committee recommendations and allocate resources for their successful implementation.

Daniel Moreno shared a personal account of his family's experiences in Russell City, detailing the racism they faced and the loss of their land; highlighted his grandfather's contributions to the community and the ongoing issues of racism in Hayward, including his own recent encounter with the police; and emphasized the importance of reparations.

Arthur Long Jr. spoke about his cherished memories of Russell City and the forced relocation of his family in 1964; expressed he had initial skepticism about the reparative justice efforts but became hopeful for meaningful action beyond symbolic gestures; and urged the Council to

accept the RCRJP Steering Committee recommendations, highlighting the need for substantial reparations.

Ro Aguilar expressed support for reparations across all five categories, particularly the preventing recurrence of discriminatory practices category; highlighted that current housing policies continue to perpetuate discrimination against lower-income residents; and advocated for changing housing policies and requiring to build inclusionary housing in every development to ensure equitable access to resources for all income levels to truly honor Russell City residents and descendants.

Pastor Arlene Nehring, senior minister and executive director of Eden United Church of Christ, highlighted the connection of church members to Russell City, including her participation in the committee; commended the City's willingness to address past injustices; and emphasized the importance of confession and amendment for meaningful apologies and healing.

Cindy Torres, RCRJP Steering Committee member and a descendant of Russell City, shared the history of her family in the Russell City community; highlighted the negative perceptions and institutional racism that contributed to Russell City's displacement; and thanked the City for its apology and efforts towards reparative justice, urging the acceptance of the 26 recommendations and continued work to rectify the injustices.

Deborah Tolfree Harris, RCRJP Steering Committee member and Russell City resident; shared her experiences growing up in Russell City; supported the 26 recommendations for reparative justice; stressed that while the City's apology is appreciated, it does not compensate for the financial damages, lack of basic amenities, and generational wealth loss suffered by the community due to systemic injustices; and highlighted the urgent need for monetary reparations.

Robin Randolph, a descendant and former resident of Russell City, shared a personal narrative focusing on the positive memories of her family; highlighted the disruption and loss her family faced due to forced relocation; and urged the Council to do the best they can to repair the harm, to restore the land, and repay the debt.

Michael D Johnson, RCRJP Steering Committee member, shared his familial connection to Russell City through his grandmother, Lily Batchy, who owned a cafe that served as a cultural hub for the African American community; and illustrated the tangible loss experienced by his family by using the Russell City Map viewer to locate his grandmother's property.

Sam Nava shared his memories living in Russell City from 1942 to 1960, highlighting the community's close-knit nature, presence of churches and stores; spoke about his work in plastering business and the many schools in the Hayward area; and expressed hope for collaboration between the community and the Council in addressing the past and moving forward.

Cathy Rodriguez, Hayward resident and RCRJP Steering Committee alternate member, expressed gratitude towards the Council for their historic apology to the Russell City community; praised the extensive efforts, detailed research, and recommendations; and



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stressed the importance of considering the 26 detailed recommendations, emphasizing their potential to deliver justice and rectify historical injustices.

Jessie Patterson Johnson submitted a card but did not speak.

Mayor Salinas closed the public comment section at 9:05 p.m.

Mayor Salinas acknowledged the stories and lived experiences shared about Russell City, emphasizing a commitment to empathy, and listening throughout the reparative process; highlighted the difference in the government's approach now versus the past; and reassured all that the Council is attentive to the community's voices, understanding the need for action on the recommendations presented.

Council Member Zermeño thanked participants and emphasized the importance of continued exploration and ensuring sufficient staff support for the process; recommended reaching out to state and federal offices for support and funding opportunities; suggested the potential for consolidating recommendations; and emphasized the importance of preventing injustices such as the displacement from recurring.

Council Member Syrop expressed gratitude to the Russell City community for their partnership with the City and work in bringing forth reparative justice recommendations; thanked the Community Services Commission for helping the City take a historical step towards making amends for past injustices and setting a national example in the process; outlined specific actions he believes would significantly impact the descendants and residents of Russell City, including the creation of a legal entity for descendants, a Russell City Cultural Commission, a potential Russell City Land Trust, a menu of policy recommendations designed to prevent displacement of vulnerable residents, reparations as part of the state lobbying efforts, and opportunities to modify City programs and policies to provide restitution; and highlighted the need for a comprehensive engagement and collaboration with county and state offices to ensure the success of these initiatives.

Council Member Andrews thanked the RCRJP Steering Committee in preserving the Russell City community's history and spirit; recognized the Community Services Commission's recommendations; highlighted the contributions of various groups and individuals to maintaining the community's legacy; recognized the efforts of consultants and City staff in navigating the reparative justice process; directed staff to engage with state, county, and federal governments to address the broader impacts of urban renewal programs and how they can assist with Community Land Trust and other recommendations; explore how to create public-private partnerships to implement the committee's recommendations; and disclosed her proactive engagement with the Alameda County Board of Supervisors, urging them to participate more actively in reparative efforts for the Russell City community and its descendants.

Council Member Roche thanked the RCRJP Steering Committee, Russell City community members and City staff for their efforts in advancing the reparative justice process for Russell City; emphasized the significance of the City's formal apology and resource allocation towards this cause; showed support for tangible reparative actions rather than symbolic gestures; mentioned interest in specific recommendations such as down payment assistance, educational scholarships, environmental justice and health initiatives; supported policy analysis to prevent recurrence in the future; wondered if Hayward Unified School District would be willing to partner on educational and awareness programs; acknowledged the potential role of other entities, such as the county and state, in this process; and expressed hope for continued collaboration to uncover historical documents and rectify financial discrepancies.

Council Member Goldstein highlighted the historic efforts of the RCRJP Steering Committee members and especially its co-chairs; praised the depth, inspiration, and heartbreaking stories shared by the Russell City community members; asserted that no recommendation is impossible to implement; encouraged City staff, whom he commended for their exceptional work, to explore all avenues to fulfill the reparative actions; and called for patience from the community, reassuring them of the Council's commitment to rectifying past injustices.

Mayor Salinas expressed support for the recommendations, highlighting the importance of distinguishing between short-term achievable goals and long-term, more complex initiatives that require extensive research and resources; praised Council Member Syrop for his detailed analysis and recommendations; reaffirmed his commitment to working with academic partners, emphasized the City's academic connections, including the importance of integrating Russell City's history into the curriculum at all educational levels and looking for revenue streams; suggested leveraging existing academic and foundation resources to support scholarships and guarantee admissions for descendants of Russell City; proposed several innovative ideas, such as the establishment of a Russell City business and cultural corridor, secondary street names to honor Russell City families, and the integration of public art and objects to memorialize the community in perpetuity; and thanked RCRJP Steering Committee members and City staff.

City Manager McAdoo noted there was consensus from the Council to accept all recommendations acknowledging the need for further work; added that staff would create an implementation matrix including workload and financial implications; acknowledged the need to leverage other partners at the county and state levels and continue the conversation with the Russell City community.

The City Council took a recess at 9:55 p.m., and Mayor Salinas reconvened the meeting at 10:02 p.m.



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Tuesday, March 26, 2024, 7:00 p.m.

PUBLIC HEARING

11. Streamlined Affordable Housing Overlay District: Introduction of an Ordinance and Adoption of a Resolution for City-Initiated Zoning Text and Map Amendments to Chapter 1, Article 10 (Planning, Zoning and Subdivisions) of the Hayward Municipal Code to Establish an Affordable Housing Overlay District to Allow Ministerial Design Review of New Residential Development Subject to Minimum Affordability Criteria and to Rezone Three Properties Subject to the Overlay District as Required by the 6th Cycle Housing Element **PH 24-014**

Staff report submitted by Development Services Director Buizer, dated March 26, 2024, was filed.

Development Services Director Buizer announced the item and introduced Principal Planner Schmidt who provided a synopsis of the staff report.

Council Member Roche inquired if the Streamlined Affordable Housing Overlay District is limited to the three identified sites and whether it represents a new approach for future developments. Principal Planner Schmidt responded that due to time constraints from state certification of the Housing Element, the focus was on the three sites to meet immediate requirements; however, the initiative is viewed as a first step towards broader considerations for projects that could benefit from streamlined ministerial site plan review in the future.

Mayor Salinas opened the public hearing at 10:11 p.m.

Peggy Guernsey requested clarity on what the term "ministerial" meant in the context of the zoning text and map amendment presentation, to better understand the presentation and engage in the discussion more effectively.

Mayor Salinas closed the public hearing at 10:14 p.m.

Principal Planner Schmidt clarified the term "ministerial", explaining that it refers to a streamlined planning process that requires less time for staff review and does not involve subjective judgment. Ms. Schmidt added that in a ministerial review, a project is evaluated against a checklist of objective criteria and subject to standard conditions of approval.

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

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

Resolution 24-059, "Resolution to Adopt Zoning Map and Zoning Text Amendments to Chapter 10, Article 1 (Zoning Ordinance) to Establish an Affordable Housing Overlay District to Allow Ministerial Design Review of New Residential Development Subject to Minimum Affordability Criteria and to Rezone Three Properties Subject to the Overlay District"

Introduction of Ordinance 24-_, "An Ordinance Amending the Zoning Map and Chapter 10, Article 1 (Zoning Ordinance) of the Hayward Municipal Code to Establish an Affordable Housing Overlay District to Allow Ministerial Design Review of New Residential Development Subject to Minimum Affordability Criteria and to Rezone Three Properties Subject to the Overlay District"

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Roche highlighted the Library's one-on-one tech tutoring sessions offered support for those who have checked out devices from the Library's Tech Lending Library Tech or need basic tech support.

Council Member Zermeño announced a celebration for Cesar Estrada Chavez on March 30, 2024, with activities and performances planned at City Hall Plaza.

Council Member Andrews praised the Hayward Animal Shelter's adoption event; and informed the community about the City's Spring Compost Giveaway on May 4 and May 18, 2024, in the parking lot of the former Skywest Golf Course.

Mayor Salinas thanked various City departments for their participation and partnership in a successful College Night event on March 20, 2024, at City Hall, which provided high school students with information about higher education opportunities.

COUNCIL REFERRALS

There were none.

ADJOURNMENT

Mayor Salinas adjourned the City Council meeting at 10:18 p.m.



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APPROVED

A handwritten signature in black ink, appearing to read "ML" followed by a stylized flourish.

Mark Salinas
Mayor, City of Hayward

ATTEST:

A handwritten signature in black ink, appearing to read "Miriam Lens" in a cursive script.

Miriam Lens
City Clerk, City of Hayward