



CONCURRENT GEOLOGIC HAZARD ABATEMENT DISTRICT BOARD AND CITY COUNCIL MEETING

777 B Street, Hayward, CA 94541

Council Chamber and Virtual Platform (Zoom)

<https://hayward.zoom.us/j/83984594167?pwd=V3NpQnpnTmZYbmFIV0lwQzJ6NlVzQT09>

Tuesday, March 15, 2022, 7:00 p.m.

The concurrent Geologic Hazard Abatement District (GHAD) Board and City Council meeting was called to order by Mayor/Chair Halliday at 7:00 p.m. The GHAD Board and Hayward City Council held a hybrid meeting which included in-person and teleconference participation by members of the City Council, staff and public.

Pledge of Allegiance: Mayor/GHAD Chair Halliday

ROLL CALL

Present

Council Chamber: Council/GHAD Member Lamnin

Virtual Platform (Zoom): Council/GHAD Members Andrews, Márquez, Salinas, Wahab, Zermeño
Mayor/Chair Halliday

Absent: None

Prior to the start of the GHAD meeting, Mayor Halliday asked to observe a moment of silence in memory of Sophia Mason, an 8-year-old Hayward child, recently missing and found deceased. Council Member Andrews encouraged residents to consider donating to Ruby's Place Inc., Love Never Fails and/or Girls, Inc. in Sophia Mason's memory.

The GHAD Board meeting proceeded and concluded at 7:28 p.m.

CLOSED SESSION ANNOUNCEMENTS

The City Council convened in closed session on March 1, 2022, at 5:30 p.m., with all members present, regarding public employment pursuant to Government Code section 54957 regarding the City Clerk's annual performance evaluation. Mayor Halliday announced there was no reportable action related to the item.

The City Council convened in closed session on March 8, 2022, at 5:30 p.m., with all members present, regarding public employment pursuant to Government Code section 54957 regarding the City Attorney's annual performance evaluation. Mayor Halliday announced there was no reportable action related to the item.

The City Council convened in closed session on March 15, 2022, at 4:30 p.m., with all members present, regarding two items: (1) conference with legal counsel pursuant to Government Code section 54956.9 regarding pending litigation in the matter of the reinstatement from industrial disability retirement of Brian Rankin OAH Case #: 2021070390; CalPERS AGENCY Case #: 6065577818; and (2) conference with property negotiators pursuant to Government Code section 54956.8 regarding Caltrans Parcel Group 5 - Maitland Drive, Bunker Hill Court, Bunker Hill Boulevard and Central Boulevard; APNs: 445-0250-041-01, 445-0260-084-03, 445-0260-018-04, 445-0270-054-02, 445-0250-060-00, 445-0250-059-01, 445-0260-109-

04, 445-0260-018-03, 445-0260-109-03, 445-0260-002-00. Related to Item No. 1, City Attorney Lawson reported the Council conducted an appeal hearing regarding the matter of reinstatement of Mr. Brian Rankin, heard presentations and argument from the parties, and after deliberation, approved a motion (6:0:1), with Mayor Halliday moving the item, Council Member Zermeño seconding and Council Member Wahab abstaining, to deny the appeal and adopt Closed Session Resolution 22-001. City Attorney Lawson also noted there was no reportable action related to Item No. 2. The closed session adjourned at 6:40 p.m.

PRESENTATIONS

Mayor Halliday read a proclamation declaring the first Monday in March 2022 as “COVID-19 Victims and Survivors Memorial Day” in remembrance of those marked by COVID-19, those who lost their lives and in honor of those who continue to suffer from the impact of the virus. Mayor Halliday presented the proclamation virtually to Mr. Muneeb Khan who accepted it on behalf of Ms. Kristin Urquiza from Marked By COVID.

Council Member Wahab read a proclamation on behalf of Mayor Halliday declaring March 21, 2022, as “Nowruz Day” (celebrated as the beginning of the traditional New Year) in Hayward, recognizing the cultural and historical significance of Nowruz, and celebrating contributions by Americans of all backgrounds. The proclamation was virtually presented to Ms. Nurges Gheyzasada who thanked the Council for such recognition.

PUBLIC COMMENTS

TJ with Hayward Concerned Citizens referred to remarks made by U.S. President Biden at the State of the Union Address in favor of additional police funding and urged Council to give any earmarked funds to Police for resources needed to keep all residents safe, including a down payment for a modern building.

Mr. Collin Thormoto, Community Services Commissioner, expressed concern about cars speeding on Whitman Street and between Cody and Custer Streets, where his child attends Cristina’s Child Care, and urged Council to investigate the traffic situation and implement traffic calming measures.

Mr. Shane Gill, Hayward resident, noted he was awarded a cannabis distribution license four years ago but was still in the process of building his facility, expressed concern about the local taxes imposed on such businesses, and referred to an email stating his suggestions.

Ms. Alison Guerrero, Hayward resident, echoed the traffic concerns expressed by prior speakers, noted that since Harder Elementary School opened, traffic had increased greatly, was concerned for the safety of children walking to/from school, and asked for traffic calming solutions.

Ms. Catelynn Kearns, Hayward resident, supported previous speakers and echoed concerns about traffic in the Whitman/Custer/Cody neighborhood with speeding cars near Harder Elementary School.



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Mr. Robert Davis, Hayward resident, who takes his son to Cristina's Child Care, was concerned about the unsafe traffic situation in the neighborhood near Harder Elementary School, noted he had previously spoken with City staff last fall about the situation, but nothing had been done.

Council Member Márquez shared the Policy Committee of the Alameda County Transportation Authority was recommending a letter in support of Assembly Bill 2336 (Friedman) regarding speed safety monitoring system pilot program and noted other Hayward neighborhoods were also impacted by the issues noted by speakers.

Council Member Salinas shared he had received a few emails asking the City Council to take a position on Ukraine, noted that while Council could not take any position on international affairs that did not directly impact the City, acknowledged the negative impact on families and wished for the war to end soon.

City Clerk Lens announced the City was in the annual process of recruiting youth for service on the Hayward Youth Commission, identified the requirements to serve and methods for submitting applications online or in person, and indicated the application deadline was May 20, 2022, with interviews scheduled for June 2, 2022.

CITY MANAGER'S COMMENTS

City Manager McAdoo responded to the public commenters that Public Works Director Ameri was present via Zoom, heard the comments expressed at the meeting and would look into the traffic concerns/requests including providing information to residents.

CONSENT

1. Approve City Council Minutes of the Special City Council Meeting on February 8, 2022
MIN 22-033

It was moved by Council Member Salinas, seconded by Council Member Zermeño, and carried unanimously by roll call vote, to approve the minutes of the Special City Council meeting on February 8, 2022.

2. Approve City Council Minutes of the City Council Meeting on February 15, 2022 **MIN 22-034**

It was moved by Council Member Salinas, seconded by Council Member Zermeño, and carried unanimously by roll call vote, to approve the minutes of the City Council meeting on February 15, 2022.

3. Approve City Council Minutes of the City Council Meeting on February 22, 2022 **MIN 22-035**

It was moved by Council Member Salinas, seconded by Council Member Zermeño, and carried unanimously by roll call vote, to approve the minutes of the City Council meeting on February 22, 2022.

4. Adopt Resolutions 1) Approving Addendum No. 1, Awarding a Contract to Los Loza, Inc., in the Amount of \$1,641,198 for the Mission Boulevard Linear Park Project, Project No. 05288 and 2) Authorizing the City Manager to Execute an Amendment Increasing the Professional Services Agreement with SurfaceDesign, Inc., by \$80,000 for Construction Support for a Total Not-to-Exceed Amount of \$390,000 **CONS 22-122**

Staff report submitted by Director of Public Works Ameri, dated March 15, 2022, was filed.

It was moved by Council Member Salinas, seconded by Council Member Zermeño, and carried by the following roll call vote, to adopt two resolutions.

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

Resolution 22-050, “Resolution Approving Addendum No. 1 for the Mission Boulevard Linear Park Project, Project No. 05288 and Awarding the Contract to Los Loza, Inc.”

Resolution 22-051, “Resolution Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with SurfaceDesign, Inc., for Additional Services Associated with the Mission Boulevard Linear Park Project, Project No. 05288”

5. Adopt a Resolution Authorizing the City Manager to Execute Agreements and Other Documents with the California Department of Transportation (Caltrans) to Receive Federally Funded Payments of \$774,900 for the Traffic Signal Modification at Huntwood/Industrial and Huntwood/Sandoval Intersections Project, Project No. 05737 **CONS 22-123**

Staff report submitted by Director of Public Works Ameri, dated March 15, 2022, was filed.

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



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Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 22-052, "Resolution Authorizing the City Manager to Execute All Agreements and Amendments with the California Department of Transportation (Caltrans) to Receive Federally Funded Payments for the Traffic Signal Modification at Huntwood/Industrial and Huntwood/Sandoval Intersections Project 05737"

6. Approval of Final Map for Tract 8502, a 15 Lot Subdivision for Condominium Purposes at 29212 Mission Boulevard to Allow the Construction of 130 Condominium Units, 10,800 Square Feet of Ground Floor Commercial Space, Open Space Areas, and Related Site Improvements; Applicant/Owner: Hayward SoMi, LLC., Application No. 202100251
CONS 22-130

Staff report submitted by Assistant City Manager/Development Services Director Ott, dated March 15, 2022, was filed.

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

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

Resolution 22-053, "Resolution Approving the Final Map of Tract 8502, Accepting the Easements Dedicated Thereon for Public Use and Authorizing the City Manager to Negotiate and Execute the Subdivision Improvement Agreement and Related Other Documents"

7. Adopt a Resolution Allowing the City Council and Appointed Commissions/Task Forces and Council Committees to Hold Continued Teleconferenced Public Meetings Pursuant to AB 361 **CONS 22-132**

Staff report submitted by City Manager McAdoo and City Clerk Lens, dated March 15, 2022, was filed.

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

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

Resolution 22-054, “Resolution Making the Required Findings Pursuant to AB 361 to Continue to Hold Teleconferenced Public Meetings During the COVID 19 State of Emergency”

8. Adopt a Resolution Awarding a Contract to Golden Bay Construction for the FY22 New Sidewalks Project, Project No. 05314, in the Amount of \$770,591 and Authorizing an Administrative Change Order Budget of \$129,409 **CONS 22-140**

Staff report submitted by Director of Public Works Ameri, dated March 15, 2022, was filed.

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

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

Resolution 22-055, “Resolution Authorizing the City Manager to Award a Contract to Golden Bay Construction for the FY22 New Sidewalks Project, Project No. 05314”

9. Adopt a Resolution Approving Addendum No. 1, Rejecting Bid Protest and Awarding a Construction Contract to Bear Construction, Inc., for the Municipal Parking Lot No. 1 Improvement Project, Project No. 05286 in the Amount of \$390,183.50, and Authorizing a Construction Contingency Change Order Budget of \$172,816.50 **CONS 22-145**



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

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

Resolution 22-056, "Resolution Approving Addendum No. 1, Rejecting Bid Protest and Awarding the Municipal Parking Lot No. 1 Improvement Project, Project No. 05286, Construction Contract to Bear Construction, Inc., in the Amount of \$390,183.50, and Authorizing a Construction Contingency Change Order Budget of \$172,816.50"

10. Adopt a Resolution Approving Addendum Nos. 1, 2 and 3, Rejecting Two Non-Responsive Bids, awarding a Contract to Golden Bay Construction, Inc. for Construction of Tract 8058 (Golden Oaks 2) Access and Utilities Improvements Project, Project No. 08058 in the Amount of \$713,831, and Authorizing a Construction Contingency Budget in the Amount of \$89,230 and Budget for Charges Related to Extension of PG&E Facilities in the Amount of \$30,000 **CONS 22-146**

Staff report submitted by Director of Public Works Ameri and City Attorney Lawson, dated March 15, 2022, was filed.

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

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

Resolution 22-057, "Resolution Approving Addendum Nos. 1, 2 and 3, Awarding a Contract to Golden Bay Construction, Inc., for Construction of Tract 8058 Access and Utilities Improvements in the Golden Oaks 2 Subdivision Project, Project No. 08058 in the Amount of \$713,831, Authorizing a Construction Contingency Budget in the Amount of \$89,230, and Authorizing a Budget of \$30,000 for Charges Related to Extension of PG&E Facilities to the Subdivision"

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Andrews announced an upcoming Keep Hayward Clean and Green Task Force event, to be held at Mount Eden Park, on Saturday, March 26, 2022.

COUNCIL REFERRALS

There were none.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 8:07 p.m. in honor and memory of those killed during the war being waged on the nation of Ukraine and remembering those who are suffering.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward