

CITY OF HAYWARD

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



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Tuesday, September 6, 2022

5:00 PM

Virtual: Zoom Participation

City Council

SPECIAL CITY COUNCIL MEETING

NOTICE: The City Council will hold a virtual meeting via the Zoom platform.

How to observe the Meeting:

1. Comcast TV Channel 15
2. Live stream <https://hayward.legistar.com/Calendar.aspx>
3. YouTube Live stream: <https://www.youtube.com/user/cityofhayward>

How to submit written Public Comment:

1. Use eComment on the City's Meeting & Agenda Center webpage at:
<https://hayward.legistar.com/Calendar.aspx>. eComments are directly sent to the iLegislate application used by City Council and City staff. Comments received before 3:00 p.m. the day of the meeting will be exported into a report, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda.

2. Send an email to List-Mayor-Council@hayward-ca.gov by 3:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda. Documents received after 3:00 p.m. through the adjournment of the meeting will be included as part of the meeting record and published the following day.

How to provide live Public Comment during the City Council Meeting:

Click link below to join the meeting:

<https://hayward.zoom.us/j/85088916394?pwd=dk3aXp5ZzRqYkY4Z3RQTkRrUVJwQT09>

Meeting ID: 850 8891 6394

Password: SCCmg@9622

or

Dial: + 1 669 900 6833 or +1 646 931 3860

Meeting ID: 850 8891 6394

Password: 5200145265

A Guide to attend virtual meetings is provided at this link: <https://bit.ly/3jmaUxa>

CALL TO ORDER: Mayor Halliday

Pledge of Allegiance: Mayor Halliday

ROLL CALL

PUBLIC COMMENTS

Limited to Items on the Agenda.

ACTION ITEMS

The Council will permit comment as each item is called for the Consent Calendar, Public Hearings, and Legislative Business. In the case of the Consent Calendar, a specific item will need to be pulled by a Council Member in order for the Council to discuss the item or to permit public comment on the item. Please notify the City Clerk any time before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.

CONSENT

1. [CONS 22-478](#) Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Traffic Signal Modification at Huntwood/Industrial and Huntwood/Sandoval Intersections Project, Project No. 05737

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Project Location Map](#)

2. [CONS 22-481](#) 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

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Exhibit A to Resolution](#)

INFORMATIONAL ITEM

Information items are presented as general information for Council and the public, and are not presented for discussion. Should Council wish to discuss or take action on any of the "information" items, they will direct the City Manager to bring them back at the next Council agenda as an Action Item.

3. [RPT 22-082](#) Informational Report on Cal Cities 2022 Annual Conference Scheduled for September 7-9, 2022

Attachments: [Attachment I Staff Report](#)

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Members can provide oral reports on attendance at intergovernmental agency meetings, conferences, seminars, or other Council events to comply with AB 1234 requirements (reimbursable expenses for official activities).

ADJOURNMENT

NEXT MEETING, September 20, 2022, 7:00 PM**PUBLIC COMMENT RULES**

Any member of the public desiring to address the Council shall limit their comment to three (3) minutes unless less or further time has been granted by the Presiding Officer or in accordance with the section under Public Hearings. The Presiding Officer has the discretion to shorten or lengthen the maximum time members may speak. Speakers will be asked for their name before speaking and are expected to honor the allotted time.

PLEASE TAKE NOTICE

That if you file a lawsuit challenging any final decision on any public hearing or legislative business item listed in this agenda, the issues in the lawsuit may be limited to the issues that were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.

PLEASE TAKE FURTHER NOTICE

That the City Council adopted Resolution No. 87-181 C.S., which imposes the 90-day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

****Materials related to an item on the agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, City Hall, 777 B Street, 4th Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City's website. Written comments submitted to the Council in connection with agenda items will be posted on the City's website. All Council Meetings are broadcast simultaneously on the City website, Cable Channel 15 - KHRT, and YouTube. ****

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or cityclerk@hayward-ca.gov.

Assistance will be provided to those requiring language assistance. To ensure that interpreters are available at the meeting, interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400.



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
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File #: CONS 22-478

DATE: September 6, 2022

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution Approving Plans and Specifications and Call for Bids for the Traffic Signal Modification at Huntwood/Industrial and Huntwood/Sandoval Intersections Project, Project No. 05737

RECOMMENDATION

That the Council adopts a resolution (Attachment II) approving the plans and specifications, and calling for bids to be received on September 27, 2022 for the Traffic Signal Modification at Huntwood/Industrial and Huntwood/Sandoval Intersections Project, Project No. 05737.

SUMMARY

This project proposes recommended improvements, particularly enhancing bicycle and pedestrian safety, at these two intersections as follows:

1. Install protected left-turn phase at Huntwood Ave/Industrial Pkwy Way
2. Install protected-permissive left-turn phase at Huntwood Ave/Sandoval Way
3. Install Hybrid Video Detection for bikes and queue cutters
4. Upgrade Peer-to-Peer Communications

This report requests approval of the plans and specifications and call for bids for the project. Staff was successful in obtaining a Highway Safety Improvement Program (HSIP) grant to fund 90% of the construction cost for the Project. The total Project cost is \$965,000, which includes \$861,000 for construction. The City's required local match of 10% is \$86,100, which combined with the HSIP grant will provide the total construction cost of \$861,000. The remaining amount of \$104,000 in the total project cost is for engineering design services and staff costs, and the total project budget has been previously appropriated through the FY 2022 budget process.

ATTACHMENTS

Attachment I Staff Report

File #: CONS 22-478

Attachment II Resolution

Attachment III Location Map



DATE: September 6, 2022

TO: Mayor and City Council

FROM: Director of Public Works

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4. Upgrade Peer-to-Peer Communications

This report requests approval of the plans and specifications and call for bids for the project. Staff was successful in obtaining a Highway Safety Improvement Program (HSIP) grant to fund 90% of the construction cost for the Project. The total Project cost is \$965,000, which includes \$861,000 for construction. The City's required local match of 10% is \$86,100, which combined with the HSIP grant will provide the total construction cost of \$861,000. The remaining amount of \$104,000 in the total project cost is for engineering design services and staff costs, and the total project budget has been previously appropriated through the FY 2022 budget process.

BACKGROUND

The City has received several resident concerns and complaints in the past five years regarding traffic queuing, delays, and safety of pedestrians and bicycles at the intersection of Huntwood Ave/Industrial Pkwy W and Huntwood Ave/Sandoval Way. Traffic signal improvements with the installation of signal interconnect and added functionality to

activate simultaneous serving of the northbound phases at the two intersections were installed, which helped in traffic queue reduction to some degree but did not alleviate the issue significantly. A more comprehensive signal modification was needed to fully address the problem. As a result, the HSIP grant was applied for and obtained to implement this traffic signal modification.

DISCUSSION

A traffic operational analysis was conducted to evaluate traffic signal operations and recommended improvements particularly enhancing bicycle and pedestrian safety at these two intersections as follows:

5. Install protected left-turn phase at Huntwood Ave/Industrial Pkwy Way
6. Install protected-permissive left-turn phase at Huntwood Ave/Sandoval Way
7. Install Hybrid Video Detection for bikes and queue cutters
8. Upgrade Peer-to-Peer Communications

Modifying the existing signal operations with protected left-turn phasing will reduce traffic delays and queuing at the intersections, thereby reducing driver frustration and non-adherence to traffic controls which will reduce collisions and improve pedestrian and bicycle safety. The installation of video bicycle detection will ensure detection, service of bicyclist and sufficient green intervals improving bicycle safety. Upgrading existing communication between the two intersections and queue clearance detention before the railroad tracks will reduce traffic queue and spillover onto the railroad tracks preventing potential hazardous situations.

Staff was successful in obtaining a Highway Safety Improvement Program (HSIP) grant to fund 90% of the construction cost for the Traffic Signal Modification for the Huntwood/Industrial and Huntwood/Sandoval Intersections Project (Project). The grant sponsor, Caltrans, awarded the City \$774,900 towards the construction portion of the costs. The total Project cost is \$965,000, which includes \$861,000 for construction. The City's required local match of 10% is \$86,100, which combined with the HSIP grant will provide the total construction cost of \$861,000. The remaining amount of \$104,000 in the total project cost is for engineering design services and staff costs. The project has an appropriated budget through the FY2022 budget process of \$965,000 from the City's Transportation System Improvement Fund (Fund 460).

This project is categorically exempt for environmental review under Section 15301(c) of the California Environmental Quality Act (CEQA) Guidelines for the operation, repair, maintenance, or minor alteration of existing facilities.

On November 15, 2016, Council passed a resolution authorizing a Community Workforce Agreement (CWA) with the Alameda County Building Trades Council (BTC), which applies to City projects with construction costs of \$1,000,000 or more. The agreement requires contractors to use local union hiring halls, encourages contractors to employ Hayward residents or Hayward Unified School District graduates, and requires hired workers to pay union dues and other benefit trust fund contributions, etc. Because the construction cost

estimate for this Project is less than \$1,000,000, the CWA agreement does not apply to this project.

ECONOMIC IMPACT

The overall transportation system will be more efficient by reducing travel time and creating positive economic and health benefits, and reducing greenhouse gas emissions.

FISCAL IMPACT

This item has a total appropriated project budget of \$965,000 from the City's Transportation System Improvement Fund (Fund 460). The grant funding will reimburse 90% (\$774,900) of the construction portion of the costs. The estimated project costs are as follows:

Construction Contract	\$861,000
Design and Administration	75,000
Internal Staff Costs	29,000
TOTAL	\$965,000

STRATEGIC ROADMAP

This item does not directly support a Council Strategic Priority project. However, it does support overall infrastructure investments.

SUSTAINABILITY FEATURES

There are no sustainability features associated with this action.

PUBLIC CONTACT

There is no public contact associated with this action.

SCHEDULE

The estimated schedule for this project is as follows:

Call for Bids	September 7, 2022
Open Bids	September 27, 2022
Award Construction Contract	October 25, 2022
Begin Construction	Mid November 2022
Complete Construction	Mid February 2023

NEXT STEP

After staff evaluates the bid results, staff will return to Council with the recommendation for award of the construction contract.

Prepared by: Hector Leuterio; Assistant Civil Engineer
Kathy Garcia, Deputy Director of Public Works

Recommended by: Alex Ameri, Director of Public Works

Approved by:

A handwritten signature in black ink, appearing to read 'Kelly McAdoo', with a long horizontal stroke extending to the right.

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-____

Introduced by Council Member _____

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND CALL FOR BIDS
FOR TRAFFIC SIGNAL MODIFICATION AT HUNTWOOD/INDUSTRIAL AND
HUNTWOOD/SANDOVAL INTERSECTIONS PROJECT, PROJECT NO. 05737

WHEREAS, those certain plans and specifications for Traffic Signal Modification at Huntwood/Industrial and Huntwood/Sandoval Intersections Project No. 05737 on file in the office of the City Clerk, are hereby adopted as plans and specifications for the project; and

WHEREAS, the City Clerk is hereby directed to cause a notice calling for bids for the required work and material to be made in the form and manner provided by law; and

WHEREAS, sealed bids therefor will be received by the City Clerk's office at City Hall, 777 B Street, First Floor, Hayward, California 94541, up to the hour of 2:00 p.m. on Tuesday September 27, 2022, and immediately thereafter publicly opened and declared by the City Clerk in the Rotunda, First Floor, at City Hall.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hayward will consider a report on the bids at a regular meeting following the aforesaid opening and declaration of same.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the project is categorically exempt for environmental review under Section 15301(c) of the California Environmental Quality Act Guidelines for the operation, repair, maintenance, or minor alteration of existing facilities.

IN COUNCIL, HAYWARD, CALIFORNIA

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

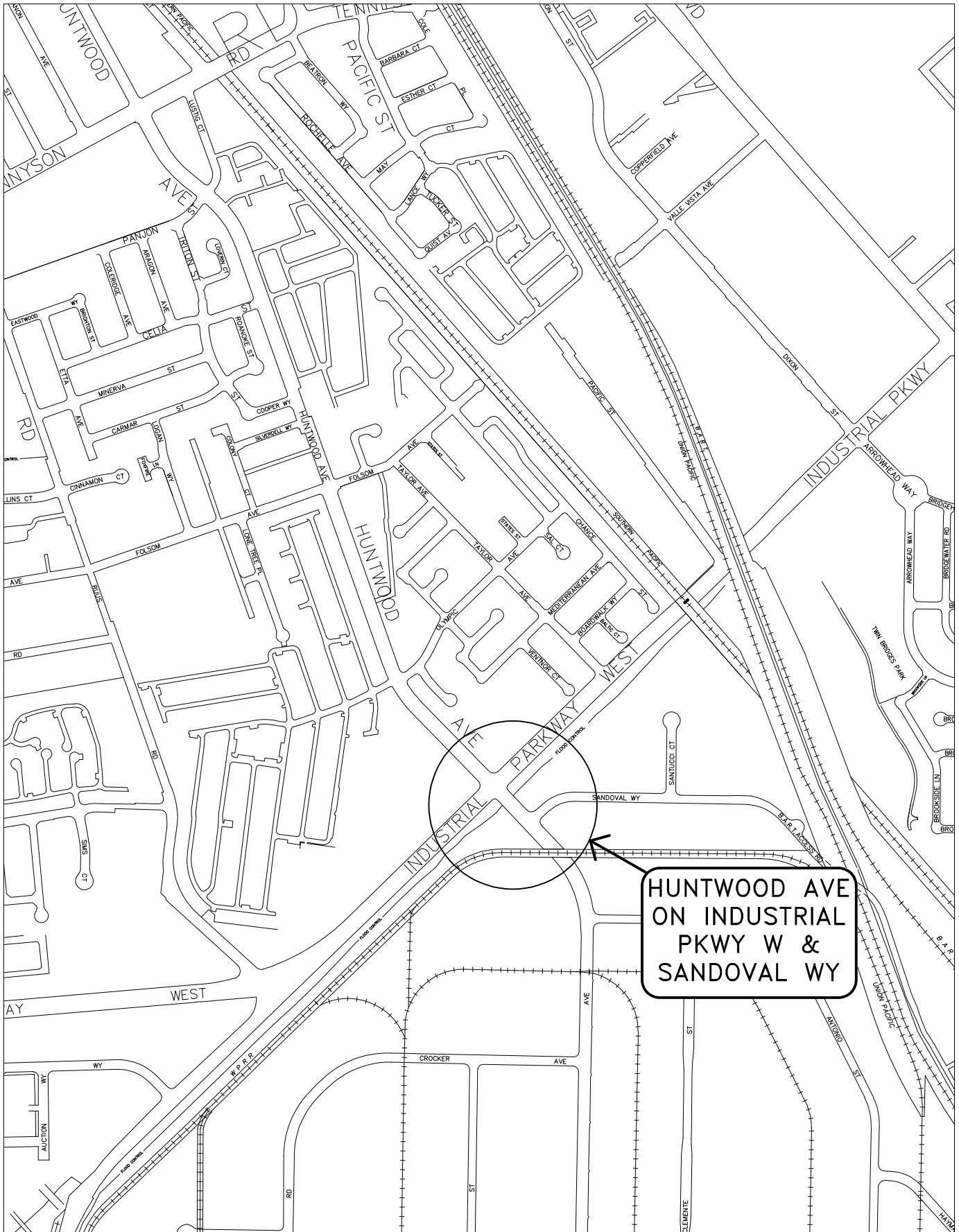
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTESTED: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



TRAFFIC SIGNAL UPGRADE
HUNTWOOD AVENUE
PROJECT NO. 05737
LOCATION MAP



CITY OF HAYWARD

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

File #: CONS 22-481

DATE: September 6, 2022

TO: Mayor and City Council

FROM: City Manager
City Clerk

SUBJECT

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

RECOMMENDATION

That the Council adopts a resolution (Attachment II) pursuant to AB 361 making specific findings to allow the Council and appointed commissions/task forces and Council committees (Exhibit A to Attachment II) to continue holding teleconferenced public meetings during the COVID 19 state of emergency.

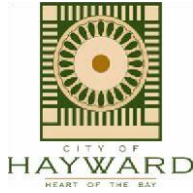
SUMMARY

On September 16, 2021, the Governor signed AB 361 that amended provisions of the Brown Act to allow local governments to conduct virtual meetings during a state of emergency proclaimed by the Governor, subject to complying with specific requirements, including providing public access and participation via call-in or internet-based platforms. While AB 361 does not require legislative bodies to take any specific actions to hold an initial teleconferenced meeting during a state of emergency, a legislative body must act in order to continue holding subsequent teleconferenced meetings while the state of emergency remains in effect. Specifically, no later than 30 days after the initial AB 361 teleconferenced meeting, and every 30 days thereafter, a legislative body must make findings that the body has reconsidered the circumstances of the state of emergency and that either of the following conditions exist: the state of emergency continues to directly impact the ability of the members to meet safely in person; or, state or local officials continue to impose or recommend measures to promote social distancing.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Exhibit to Resolution

File #: CONS 22-481



DATE: September 6, 2022

TO: Mayor and City Council

FROM: City Manager
City Clerk

SUBJECT: 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

RECOMMENDATION

That the Council adopts a resolution (Attachment II) pursuant to AB 361 making specific findings to allow the Council and appointed commissions/task forces and Council committees (Exhibit A to Attachment II) to continue holding teleconferenced public meetings during the COVID 19 state of emergency.

SUMMARY

On September 16, 2021, the Governor signed AB 361 that amended provisions of the Brown Act to allow local governments to conduct virtual meetings during a state of emergency proclaimed by the Governor, subject to complying with specific requirements, including providing public access and participation via call-in or internet-based platforms. While AB 361 does not require legislative bodies to take any specific actions to hold an initial teleconferenced meeting during a state of emergency, a legislative body must act in order to continue holding subsequent teleconferenced meetings while the state of emergency remains in effect. Specifically, no later than 30 days after the initial AB 361 teleconferenced meeting, and every 30 days thereafter, a legislative body must make findings that the body has reconsidered the circumstances of the state of emergency and that either of the following conditions exist: the state of emergency continues to directly impact the ability of the members to meet safely in person; or, state or local officials continue to impose or recommend measures to promote social distancing.

BACKGROUND

In general, the Brown Act allows legislative bodies to use teleconferencing during a public meeting as long as certain requirements are met, such as:

- Identification of any remote location from which a member of the legislative body is participating via teleconference;
- Posting of agendas at all remote locations from which members of the legislative body are participating;
- Public accessibility to the remote location and the technological means for allowing the public to participate in the meeting from the location; and
- A quorum of the members must be participating from a location within the jurisdiction of the legislative body.

In response to the COVID 19 state of emergency, the Governor temporarily suspended the rules described above when he issued Executive Order N-29-20 on March 17, 2020 and authorized local legislative bodies to hold virtual public meetings subject to specific public accessibility and noticing requirements.

With the expiration of Executive Order N-29-20, AB 361 amends the Brown Act to allow virtual public meetings during a state of emergency proclaimed by the Governor. A local agency may hold a teleconferenced meeting during a state of emergency without complying with the normal teleconferencing requirements described above if it meets requirements related to providing notice of the meeting, public access and participation via call-in or internet-based service options, real-time public comments, and conduct of the meeting in a manner that protects statutory and constitutional rights of any parties and the public appearing before the legislative body.

AB 361 does not require legislative bodies to take any specific action prior to holding an initial teleconferenced meeting during a state of emergency. However, to hold a subsequent teleconferenced meeting a legislative body must act no later than 30 days after the initial teleconferenced meeting, and every 30 days thereafter, by making findings that the body has reconsidered the circumstances of the state of emergency and that either of the following conditions exist:

- The state of emergency continues to directly impact the ability of the members to meet safely in person; or
- State or local officials continue to impose or recommend measures to promote social distancing.

DISCUSSION

On February 25, 2022, the Governor issued Executive Order N-04-22 repealing many of his prior Executive Orders imposing various mandates intended to address the impact of COVID 19. However, the Governor did not lift the State of Emergency related to COVID 19 that he initially proclaimed on March 4, 2020. As of the date of this report, the State of Emergency proclaimed by the Governor remains in effect.

Current guidance and orders of the Alameda County Health Official satisfy both conditions necessary for the AB 361 findings described above:

- Order No. 20-05g, originally issued April 3, 2020 and most recently amended on January 10, 2022, imposes a mandate that all individuals diagnosed or likely to have COVID 19 must isolate themselves and follow requirements further specified in the Order.
- Order No. 20-06q, originally issued April 3, 2020 and most recently updated on May 9, 2022, requires individuals to comply with California Department of Public Health Guidance on Isolation and Quarantine of the General Public except in the specific circumstances described in the order, including, persons who are not fully vaccinated must quarantine for at least 5 days after close contact with an individual infected with COVID-19.
- On June 24, 2022, the Alameda County Health Officer issued Order No. 22-03 rescinding the general mask mandate imposed by Order No. 22-02. Current Alameda County Health Officer guidelines require all individuals in Alameda County, regardless of vaccination status or prior history of COVID illness, to wear face coverings in the following situations:
 - Indoors when required by businesses, government offices, youth-serving facilities, and workplace settings.
 - When required by trains, buses, ferries, taxis, and rideshare operators.
 - In transportation hubs like bus terminals, train stations, marines, seaports or other ports, subway stations, or any other area that provides transportation, when required by transit systems.
 - Healthcare settings.
 - State and local correctional facilities and detention centers.
 - Shelters and cooling centers.
- The Alameda County Public Health Department recommends everyone to wear a mask in outdoor crowded settings, and in non-public indoor settings, like a private residence, when they are around people who may be unvaccinated, elderly, or immunocompromised.
- Workplaces must comply with Cal/OSHA safety standards.

The following current guidance from the California Department of Public Health satisfies the AB 361 findings:

- The Department strongly recommends that all persons, regardless of vaccination status, continue to mask while in indoor public settings and businesses, on public transit, and in transportation hubs.
- Face coverings are required for all individuals in the following indoor settings, regardless of vaccination status: homeless shelters, emergency shelters, cooling and heating centers, healthcare settings, state and local correctional facilities and detention centers, long term care settings and adult and senior care facilities.

- Fully vaccinated individuals are recommended to continue indoor masking when the risk may be high.
- Persons with COVID-19 symptoms or who test positive for COVID-19 are required to isolate.
- Persons working or housed in specified high-risk settings are required to isolate and quarantine in the event of an exposure to someone infected with COVID-19.
- Members of the general public, regardless of vaccination status, are not required to isolate if they are asymptomatic after exposure to a person infected with COVID-19. Testing and masking are recommended and vaccination/boosting is strongly encouraged.

Alameda County Health Order No. 21- 04 (effective November 1, 2021), which allows a stable group of fully vaccinated individuals to remove masks in certain indoor situations, is not applicable to the City's public meetings because they do not necessarily involve a stable group of vaccinated individuals.

Currently, the Council is holding hybrid Council meetings that allow for virtual participation via the Zoom platform as well as in-person participation. This format also allows for real-time public comments, in compliance with AB 361. All City commissions, task forces, and Council committees continue meeting entirely virtually over the Zoom platform.

Based on the above, staff recommends that the Council adopts the attached resolution making the necessary findings to allow the Council and the appointed boards and commissions identified in Exhibit A to the resolution to continue holding teleconferenced meetings pursuant to AB 361.

FISCAL IMPACT

There is no fiscal impact associated with this action.

STRATEGIC ROADMAP

This agenda item is a routine operational item and does not relate to any of the projects outlined in the Council's Strategic Roadmap.

NEXT STEPS

Adoption of the resolution will allow the Council and specified appointed boards and commissions to hold a subsequent teleconferenced meeting pursuant to the provisions of AB 361. Additional resolutions must be adopted every thirty days during the existence of the state of emergency in order to continue holding teleconferenced meetings.

Prepared by: Miriam Lens, City Clerk

Approved by:

A handwritten signature in black ink, appearing to read 'K. McAdoo', with a long horizontal stroke extending to the right.

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-

Introduced by Council Member _____

RESOLUTION MAKING THE REQUIRED FINDINGS PURSUANT TO AB 361 TO
CONTINUE TO HOLD TELECONFERENCED PUBLIC MEETINGS DURING THE
COVID 19 STATE OF EMERGENCY

WHEREAS, the Brown Act (Government Code section 54950 et seq.) allows for public meetings of a legislative body to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction; and

WHEREAS, in response to the COVID-19 state of emergency, the Governor temporarily suspended the rules described above when he issued Executive Order N-29-20 on March 17, 2020 and authorized local legislative bodies to hold virtual public meetings subject to specific public accessibility and noticing requirements; and

WHEREAS, the Governor signed AB 361 prior to the expiration of Order N-29-20; and

WHEREAS, AB 361 amends the Brown Act to the legislative body of a local agency to hold a teleconferenced meeting during a state of emergency without complying with the normal teleconferencing requirements described above if it meets requirements related to providing notice of the meeting, public access and participation via call-in or internet-based service options, real-time public comments, and conduct of the meeting in a manner that protects statutory and constitutional rights of any parties and the public appearing before the legislative body; and

WHEREAS, AB 361 does not require legislative bodies to take any specific action prior to holding an initial teleconferenced meeting during a state of emergency, however, to hold a subsequent teleconferenced meeting a legislative body must act no later than 30 days after the initial teleconferenced meeting, and every 30 days thereafter, by making findings specified in the statute justifying the continued use of teleconferenced public meetings; and

WHEREAS, it shall be the policy of the City that the appointed boards and commissions of the City will hold teleconferenced public meetings in compliance with the provisions of AB 361 during the COVID-19 state of emergency; and

WHEREAS, the COVID-19 state of emergency declared by the Governor remains active; and

WHEREAS, public meetings involve many people in shared indoors spaces for hours, when the number of people present does not always allow for a minimum six foot distance between persons, and close contacts raise the risk of the spread of COVID-19; and

WHEREAS, the California Department of Public Health has mandated that everyone in California wear a mask in indoor public spaces and workplaces through February 15, 2022; and

WHEREAS, the Alameda County Health Officer has issued Order No. 20-05g (originally issued April 3, 2020 and most recently amended on January 10, 2022) imposing a mandate that all individuals diagnosed or likely to have COVID-19 must isolate themselves and follow requirements further specified in the Order; and

WHEREAS, the Alameda County Health Officer has issued Order No. 20-06q (originally issued April 3, 2020 and most recently amended on May 9, 2022) requires individuals to comply with California Department of Public Health Guidance on Isolation and Quarantine of the General Public except in the specific circumstances described in the order, including, persons who are not fully vaccinated must quarantine for at least 5 days after close contact with an individual infected with COVID-19; and

WHEREAS, the Alameda County Health Officer has issued Order No. 22-03 (effective on June 25, 2022), rescinding the general mask mandate imposed by Order No. 22-02.; and

WHEREAS, the Alameda County Public Health Department currently requires face coverings in the following situations:

- Indoors when required by businesses, government offices, youth-serving facilities, and workplace settings.
- When required by trains, buses, ferries, taxis and rideshare operators.
- In transportation hubs like bus terminals, train stations, marines, seaports or other ports, subway stations, or any other area that provides transportation, when required by transit systems.
- Healthcare settings.
- State and local correctional facilities and detention centers.
- Shelters and cooling centers; and

WHEREAS, the Alameda County Public Health Department recommends everyone wear a mask in outdoor crowded settings, and in non-public indoor settings, like a private residence, when they are around people who may be unvaccinated, elderly, or immunocompromised; and

WHEREAS, workplaces must comply with Cal/OSHA safety standards; and

WHEREAS, the California Department of Public Health has issued the following current guidance:

- The Department strongly recommends that all persons, regardless of vaccination status, continue to mask while in indoor public settings and businesses, on public transit, and in transportation hubs.
- Face coverings are required for all individuals in the following indoor settings, regardless of vaccination status: homeless shelters, emergency shelters, cooling and heating centers, healthcare settings, state and local correctional facilities and detention centers, long term care settings and adult and senior care facilities.
- Fully vaccinated individuals are recommended to continue indoor masking when the risk may be high.
- Persons with COVID-19 symptoms or who test positive for COVID-19 are required to isolate.
- Persons working or housed in specified high-risk settings are required to isolate and quarantine in the event of an exposure to someone infected with COVID-19.
- Members of the general public, regardless of vaccination status, are not required to isolate if they are asymptomatic after exposure to a person infected with COVID-19. Testing and masking are recommended and vaccination/boosting is strongly encouraged; and

WHEREAS, Alameda County Health Order No. 21- 04 (effective November 1, 2021), which allows a stable group of fully vaccinated individuals to remove masks in certain indoor situations, is not applicable to the City's public meetings because they do not necessarily involve a stable group of vaccinated individuals.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward makes the following findings pursuant to AB 361 to continue holding teleconferenced public meetings during the COVID-19 state of emergency:

- The City Council has reconsidered the circumstances of the state of emergency.
- The COVID 19 state of emergency declared by the Governor remains active and continues to directly impact the ability of Councilmembers to meet safely in-person.
- State and local officials continue to recommend or impose measures to promote social distancing.
- The Alameda County Health Officer has issued orders imposing measures to promote social distancing via isolation and quarantine of individuals infected or likely infected with COVID-19 and individuals with close contact to persons infected with COVID-19.
- The Alameda County Health Officer recommends that everyone wear a mask in outdoor crowded settings, and in non-public indoor settings, like a private residence, when they are around people who may be unvaccinated, elderly, or immunocompromised.

- The Alameda County Health Officer requires face coverings to be worn in the following settings:
 - Indoors when required by businesses, government offices, youth-serving facilities, and workplace settings.
 - When required by trains, buses, ferries, taxis and rideshare operators.
 - In transportation hubs like bus terminals, train stations, marines, seaports or other ports, subway stations, or any other area that provides transportation, when required by transit systems.
 - Healthcare settings.
 - State and local correctional facilities and detention centers.
 - Shelters and cooling centers.
- The California Department of Public Health strongly recommends that all persons, regardless of vaccination status, continue to mask while in indoor public settings and businesses, on public transit and in transportation hubs.
- Workplaces must comply with Cal/OSHA safety standards.

BE IT FURTHER RESOLVED that in the interest of public health and safety, based on the findings contained herein, the City Council of the City of Hayward and the appointed boards and commissions identified in Exhibit A of this Resolution shall continue to hold teleconferenced public meetings pursuant to AB 361.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2022

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

EXHIBIT A

- Community Services Commission
- Keep Hayward Clean and Green Task Force
- Library Commission
- Personnel Commission
- Planning Commission
- Council Airport Committee
- Council Budget and Finance Committee
- Council Economic Development Committee
- Council Infrastructure Committee
- Council Homelessness-Housing Task Force
- Council Sustainability Committee
- Hayward Youth Commission
- Hayward Police Department Community Advisory Panel



CITY OF HAYWARD

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

File #: RPT 22-082

DATE: September 6, 2022

TO: Mayor and City Council

FROM: Assistant City Manager

SUBJECT

Informational Report on Cal Cities 2022 Annual Conference Scheduled for September 7-9, 2022

RECOMMENDATION

That the Council receives this informational report on the Cal Cities 2022 Annual Conference scheduled for September 7-9, 2022.

SUMMARY

The Cal Cities Annual Conference is scheduled for September 7-9, 2022, in Long Beach. On July 5, 2022, the Council designated Mayor Barbara Halliday as the voting delegate and Council Member Salinas as the alternate for the Annual Business Meeting (General Assembly), scheduled for Friday, September 9, 2022. While the General Assembly is typically where various municipalities' voting delegates vote on resolutions considered by Cal Cities, there are no resolutions proposed for a vote this year, only minor bylaw changes.

ATTACHMENTS

Attachment I Staff Report



DATE: September 6, 2022

TO: Mayor and City Council

FROM: Assistant City Manager

SUBJECT: Informational Report on Cal Cities 2022 Annual Conference Scheduled for September 7-9, 2022

RECOMMENDATION

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BACKGROUND AND DISCUSSION

The Cal Cities Annual Conference is scheduled for September 7-9, 2022, in Long Beach. On July 5, 2022, the Council designated Mayor Barbara Halliday as the voting delegate and Council Member Salinas as the alternate for the Annual Business Meeting (General Assembly), scheduled for Friday, September 9, 2022. While the General Assembly is typically where various municipalities' voting delegates vote on resolutions considered by Cal Cities, there are no resolutions proposed for a vote this year, only minor bylaw changes. The proposed bylaw changes can be found at the following link:

<https://www.calcities.org/news/post/2022/08/10/proposed-bylaws-changes-to-be-considered-by-general-assembly-during-2022-annual-conference-and-expo>

Because there are no resolutions for Council to take action on, staff is providing this information in an informational report.

FISCAL IMPACT

There is no fiscal or economic impact associated with this report.

STRATEGIC ROADMAP

This agenda item is a routine operational item and does not relate to any of the six priorities outlined in the Council's Strategic Roadmap.

PUBLIC CONTACT

The report does not require a public notice.

NEXT STEPS

Mayor Halliday and Council Member Salinas will attend the General Assembly at the Cal Cities Conference on September 9, 2022 and vote on the minor bylaw changes.

Prepared and Recommended by: Jennifer Ott, Assistant City Manager

Approved by:



Kelly McAdoo, City Manager