

MINUTES OF THE CITY COUNCIL MEETING OF THE CITY OF HAYWARD
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 15, 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 Mayor Halliday.

ROLL CALL

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

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Zermeno inquired about an update on chain link fences.

Mayor Halliday noted that, along with Council Member Zermeno, she met with Mr. Miguel Fraga, First Secretary to the Cuban Embassy, regarding the future of U.S. Cuban relations.

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson announced that the Council convened in closed session concerning three items: 1) Public employment for City Clerk pursuant to Government Code 54957; 2) Conference with legal counsel pursuant to Government Code 54956.9 regarding pending litigation regarding Scott Lunger, WCAB #: ADJ10132749; ADJ1015004; and 3) 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 noted there were no reportable items for Items 1 and 3. Regarding Item No. 2, it was reported that the Council unanimously, with Council Member Zermeno moving and Council Member Mendall seconding, approved the compromising release of the worker's compensation related to the two cases.

PRESENTATIONS

Mayor Halliday read a proclamation proclaiming the month of March 2016 as American Red Cross Month in the City of Hayward. The proclamation was presented to the American Red Cross Bay Area Chapter - Alameda County Leadership Council. Mr. Michael Gregory and Ms. Karen Fuller accepted the proclamation on behalf of the American Red Cross.

Mayor Halliday read a proclamation commemorating the 140th Anniversary of the incorporation of the City of Hayward and the 60th Anniversary of the adoption of its first Charter. The City's Poet Laureate, Mr. Bruce Roberts, read a poem to commemorate Hayward's anniversary.

PUBLIC COMMENTS

Mr. Greg Rees, Hayward resident and former Chabot College employee, spoke about a college facilities use permit and an invoice issued to Council Member Zermeño.

Mr. Jim Drake, Hayward resident, referred to a newspaper article entitled, "Hayward fire chief allowed to keep job," and requested that a breathalyzer be installed in the vehicles.

Mr. James Farley, Hayward resident and California Democratic Party representative, announced a candidate forum on April 8, 2016 at the Laborers Local 304 Hall on Mission Boulevard.

Mr. Kim Huggett, Hayward Chamber of Commerce President, announced two events: "eMarketing to Create New Customers" on March 16, 2016 at Hayward City Hall; a luncheon with Dr. Andres Roemer, Consul General of Mexico, on April 12, 2016 at the Golden Peacock Banquet Hall.

Ms. Wynn Grcich, Hayward resident, noted she was running for Council and spoke about rent control, increasing the minimum wage, and all-mailed ballot elections in San Mateo.

Mr. John Super, Hayward resident, reported problems at Meek and Filbert streets which had been closed since December 2014 for the cannery development construction.

Council Member Márquez announced the City had launched a new website.

Consent Items 3, 6, and 7 were pulled for discussion.

CONSENT

1. Approval of Minutes of the City Council Meeting on February 23, 2016 MIN 16-019
It was moved by Council Member Peixoto, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council Meeting on February 23, 2016.

2. Approval of Minutes of the City Council Meeting on March 1, 2016 MIN 16-020
It was moved by Council Member Peixoto, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council Meeting on March 1, 2016.

3. Approval of Final Map Tract 8148 - Eden Shores Development, Phase I - associated with a previously approved Vesting Tentative Tract Map and proposed development of sixty-six single-family detached homes and common areas on a 8.25 acre portion of a 14.4 acre site at 2598 Eden Shores Boulevard, bounded by Eden Shores Boulevard, Marina Drive, Eden Park Place and Hesperian Boulevard; Pulte Group (Applicant/Owner) CONS 16-103



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Staff report submitted by Planning Manager Buizer, dated March 15, 2016, was filed.

Ms. Evelyn Cormier, Hayward resident, clarified the area that would cover the proposed development.

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

Resolution 16-034, "Resolution Approving Final Map for Tract 8148 (Phase I) and Authorizing the City Manager to Execute a Subdivision Agreement"

4. Resolution Accepting the Written Resignations of Mr. Navneet Ratti from the Council Economic Development Committee and Mr. Satyendra Kaith from the Personnel Commission CONS 16-116

Staff report submitted by City Clerk Lens, dated March 15, 2016, was filed.

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

Resolution 16-033, "Resolution Accepting the Resignation of Navneet Ratti from the Council Economic Development Committee and Satyendra Kaith from the Personnel Commission"

5. Adoption of 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 CONS 16-117

Staff report submitted by City Clerk Lens, dated March 15, 2016, was filed.

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

Ordinance 16-08, "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"

6. FY 2016 Pavement Preventative Maintenance & Resurfacing Project: Approval of Plans and Specifications and Call for Bids CONS 16-124

Staff report submitted by Assistance City Engineer Owusu, dated March 15, 2016, was filed.

Mr. Jim Drake, Hayward resident, asked if the proposed project and the FY 2016 Pavement Rehabilitation Project had undergone a competitive bidding process.

Mr. Charlie Peters, Hayward resident, referred to a document regarding an informational hearing on "Telematics 101: How Much Your Car Knows About You."

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

Resolution 16-035, "Resolution Approving Plans and Specifications for the FY 2016 Pavement Preventative Maintenance & Resurfacing Project, Project No. 05204 and Call for Bids "

7. FY 2016 Pavement Rehabilitation Project - Approval of Plans and Specifications and Call for Bids CONS 16-125

Staff report submitted by Assistance City Engineer Owusu, dated March 15, 2016, was filed.

Council Member Márquez requested that ample notice be given to the residents and businesses that will be affected by the proposed construction.

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

Resolution 16-036, "Resolution Approving Plans and Specifications for the FY 16 Pavement Rehabilitation Project, and Call for Bids"

PUBLIC HEARING

8. Proposed Subdivision and Construction of Ninety-Seven Single-family Homes and Related Site Improvements on Multiple Parcels Located at the Southwestern Corner of 2nd and Walpert Streets, Requiring Introduction of an Ordinance and Adoption of a Resolution Related to a Zone Change from Single-Family, Medium and High Density Residential and Open Space Districts to Planned Development (PD) District and Approval of Vesting Tentative Map (Tract 8233) for Ward Creek Cottages Subdivision (Application No. 201400648). (Applicant: AMG Associates; Owners: Caltrans and City of Hayward) PH 16-021



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Staff report submitted by Senior Planner Schmidt, dated March 15, 2016, was filed.

Development Services Director Rizk announced the report and Senior Planner Schmidt and Transportation Manager Kelley provided a synopsis of the report. A fly-through animation about Ward Creek Cottages depicting the proposed project was shown.

Discussion ensued among Council members and City staff regarding: traffic and pedestrian circulation along 2nd and Walpert streets; slope stability; and parking ratio for the proposed project.

Council Members Márquez, Zermeño, and Lamnin disclosed having met individually with representatives from the proposed project.

Mayor Halliday opened the public hearing at 8:38 p.m.

Ms. Candi Cross, 2nd Street resident, expressed concerns about the project proposal related to traffic flow, inadequate guest and overflow parking, and safety. Ms. Cross thanked the developer for being receptive to her family's needs.

Mr. Perry Harnage, 2nd Street resident, noted that while there were improvements to the plan, traffic concerns were still valid and requested that the trail be made more accessible.

Mayor Halliday closed the public hearing at 8:46 p.m.

Mayor Halliday disclosed having met with the developer.

Council Member Jones suggested adding signage to the trail to inform people that the trail is public.

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

Council Member Mendall disclosed having met with the applicant and noted that the proposed project had features that would add to the community.

Council Member Lamnin recommended reevaluating the parking, considering Zipcars as part of homeowners' association dues, including education about bus lines, and raising awareness about the potential for increased rental tenants with the current design.

Applicant Mr. Alexis Gevorgian with AMG & Associates, LLC. spoke about the proposed project.

Council Member Peixoto supported the motion and noted that his concerns with traffic on 2nd Street had been addressed with the traffic signalization, but he remained concerned about the traffic on Walpert Street.

Mayor Halliday supported the motion.

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

Resolution 16-037, "Resolution Adopting the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program and Approving Vesting Tentative Tract Map Application and Zone Change Application 201400648 Pertaining to the Development of Ward Creek Cottages Composed of Ninety-Seven Detached Single Family Homes at the Southwestern Corner of 2nd Street and Walpert Street"

Introduction of Ordinance 16-0_, "An Ordinance Amending Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Property in Connection with Zone Change Application No. 201400648 Relating to a Residential Development at the Southwestern Corner of 2nd Street and Walpert Street"

LEGISLATIVE BUSINESS

9. FY 2016 Mid-Year Budget Review & General Fund Ten-Year Plan Update LB 16-028

Staff report submitted by Director of Finance Vesely, Budget Officer Barton and Management Analyst I Ferguson, dated March 15, 2016, was filed.

Director of Finance Vesely provided a synopsis of the report.

Discussion ensued among Council members and City staff regarding: Utility Users Tax (UUT) revenue; setting aside UUT prior year payments; Measure C Funds; General Fund Ten-Year Plan; Capital Improvement Project changes; transfer from General Fund to Fleet Fund for ARFF Fire vehicle; surplus City properties; projections of CalPERS rates; expenditures in revenue projections; General Fund deficit; and the Redevelopment Property Tax Trust Fund.



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There being no public comments Mayor Halliday opened and closed the public hearing at 9:59 p.m.

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

Resolution 16-038, "Resolution Amending Resolution 15-114, as Amended, the Budget Resolution for the City of Hayward Operating Budget for Fiscal Year 2016, Relating to an Appropriation of Funds"

Resolution 16-039, "Resolution Amending Resolution 15-116, As Amended, the Budget Resolution for the City of Hayward Capital Improvement Projects for Fiscal Year 2016, Relating to an Appropriation of Funds"

INFORMATION ITEMS

10. Super Bowl 50 Operations at Hayward Executive Airport RPT 16-031

Staff report submitted by Airport Manager McNeeley, dated March 15, 2016, was filed.

The staff report was provided as information only.

CITY MANAGER COMMENTS

There were none.

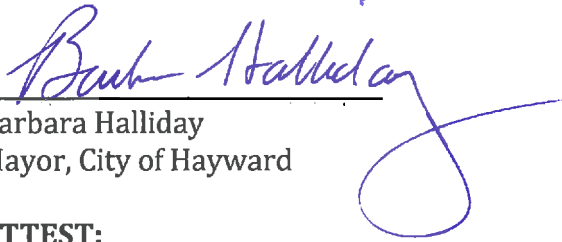
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Council Member Zermeño announced two events on March 19, 2016 at Hayward City Hall: the Made in Hayward Cradle to Career Education Summit and the Cesar Chavez Birthday Celebration.

ADJOURNMENT

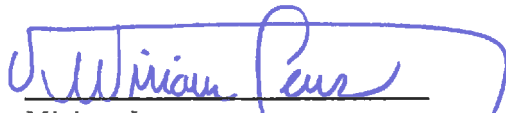
Mayor Halliday adjourned the meeting at 10:11 p.m.

APPROVED:



Barbara Halliday
Mayor, City of Hayward

ATTEST:



Miriam Lens
City Clerk, City of Hayward