



COUNCIL ECONOMIC DEVELOPMENT COMMITTEE

MEETING MINUTES – April 03, 2023

CALL TO ORDER: Mayor Salinas called the regular meeting to order at 5:01 p.m.

ATTENDANCE: (September 2022-July 2023)

Meeting Attendees	Present 4/3/2023	All Meetings Year to Date		Meetings Mandated By Resolution	
		Present	Absent	Present	Absent
Mayor Salinas	✓	3	0	2	0
Council Member Andrews	✓	3	0	3	0
Council Member Zermeño		1	2	1	2

OTHERS IN ATTENDANCE:

Kelly McAdoo, City Manager; Paul Nguyen, Chief Economic Development Officer; Daniel Mao, Economic Development Specialist; Rozalynne Thompson, Senior Planner; Jeremy Lochirco, Planning Manager; Michael Vigilia, Senior Assistant City Attorney; Javier Castro, Administrative Assistant.

PUBLIC COMMENTS

There were none.

1. APPROVAL OF MINUTES OF REGULAR MEETING FEBRUARY 23, 2023

A motion to approve the minutes from February 23, 2023, Regular Meeting was made by Council Member Andrews and seconded by Mayor Salinas. The minutes were approved with Council Member Zermeño absent.

2. STRATEGIC ROADMAP PRIORITY: SIDEWALK VENDING ORDINANCE

Chief Economic Development Officer Paul Nguyen introduced Senior Planner Rozalynne Thompson, who gave the presentation and asked for committee feedback.

Council Member Andrews said she appreciated staff bringing forward this item and explaining the changes that were made in the State regulations to allow for Street Vending because of misinformation out there. Council Member Andrews said the City needs to provide a pathway for vendors and understood that there may not be a one hundred percent turnover rate for vendors to transform into a restaurant or a business.

Council Member Andrews acknowledged the reason why the State adopted this legislation. She stated the City needs to support the businesses that are operating in the City and generating taxes in order to support the City; adding that we need to find a delicate balance.

Council Member Andrews asked staff to come up with a way to provide amenities to our city but also decriminalize this activity and continue supporting our existing businesses.

Council Member Andrews liked the idea of sanctioning certain areas and would love to partner with BART and AMTRAK to provide an option. She also added that she supported the idea of setting hours of operations.

Council Member Andrews stated that vendors need to have sanitation standards. She added that she would be in favor of a permit program for vendors. However, she added that she has reservations about the businesses being on the sidewalk. She expressed concerns about liability, potential trip hazards and damage to the property. She acknowledged that the City cannot control those factors and assumed a permit would account for that.

Council Member Andrews also supported a fine, but would like to see education and awareness on fines first before enforcement is needed.

Council Member Andrews had discussed this topic with the Chamber of Commerce Government Relations Committee (GRC) and stated she understood their concerns about safety and cooking outside, not just for sanitary reasons but also for fire hazards when cooking with open flames. She also mentioned concerns with businesses along streets with no parking and high-volume traffic areas.

Council Member Andrews stated that there are neighborhoods that lack amenities, therefore creating a need for street vendors. She asked staff if there is a way to partner with the schools and HARD to use the underutilized kitchens that are at the parks to provide a pathway similar to what is happening at the Matt Jimenez Community Center where there is a kitchen incubator space.

Mayor Salinas agreed with Council Member Andrews' comments. He pointed out that there is a Hayward Area Recreation and Park District(HARD) and City joint meeting on April 24th where it may be possible to discuss this. He added that HARD should be aligned with this subject. City Manager McAdoo added that this may be a topic at HLAC. Mayor Salinas agreed with that statement.

Mayor Salinas questioned the permit process and whether a street vendor permitted to operate in one static place. Chief Economic Development Officer Nguyen stated it will be difficult due to their mobile nature. Mayor Salinas asked if a possibility the permits are created to be site specific, or if it is open to the whole city. Chief Economic Development Officer Nguyen answered by stating the street vendors can go anywhere, but with new regulations City ordinance could these activities to limit certain areas.

City Manager McAdoo asked a clarifying question regarding designing the regulations and whether it is possible to create a time frame for the downtown area outside of normal restaurant business hours such as 2 AM to 6 AM for street vendors. Senior Planner Thompson stated that SB 946 states the hours cannot be more restrictive than the surrounding business.

Mayor Salinas asked since the street vendors are not able to pull a permit that is location specific, can they pull a permit that is specific to a zone such as the downtown area zone? City Manager McAdoo

stated that you may be able to create different regulations in the different parts of the city, but it cannot be more restrictive than what other businesses already have. Senior Planner Thompson confirmed that statement and added that it must also be tied to the objective health, safety, and welfare standards.

Senior Planner Thompson gave an example of San Diego's ability to add that into their ordinance and it was due to that fact that in the findings of the ordinance they were clear to put objective of health, safety, and welfare standards tied to those regulations.

Mayor Salinas questioned whether the health and welfare standards would consist of hand washing station with water. Senior Planner Thompson replied in the affirmative.

City Manager McAdoo added an example of restrictions that can be added such as prohibitions on street vending on downtown sidewalks because this could prevent accidents.

Council Member Andrews questioned how the city would manage the locations of the street vendors and its enforcement City Manager McAdoo stated that it will be complaint-driven and managed through the Code Enforcement Division.

Mayor Salinas supported Question 3 regarding establishing minimum performance standards for sidewalk vendors. He added that he would like to add a sign standard so that business signs are subtle and not larger than an A-frame sign.

Mayor Salinas asked about the possibility of issuing permits on site should a complaint be issued, and the enforcement goes to issue a fine. Chief Economic Development Officer Nguyen stated that this will be difficult due to permits having to require review from different departments. City Manager McAdoo also added that cash handling with city staff in a non-controlled environment is not feasible.

Mayor Salinas asked if there can be restrictions on using wood or charcoal fire versus butane cooking fuel, Senior Planner Thompson stated it can be further investigated because that is considered a safety issue.

Mayor Salinas agreed with Question 4; stating he supported adopting the maximum fines already established by the State. He also supported requiring liability insurance. He also suggested the City require vendors handling food to obtain Safe Serve certificates. He added that the name that is given to this program should be positive sounding as the City would be decriminalizing street vending.

Council Member Andrews added that the information should be given in multiple languages and ensure that immigration status will not be checked.

Mayor Salinas questioned whether regulations can be placed on non-Hayward residents and creating a type of incentive program for Hayward residents. Senior Planner Thompson stated it may not be possible.

Mayor Salinas questioned the regulation of food storage of street vendors. Senior Planner Thompson answered stating that the mobile food facility permit will be issued by Alameda County Department of Environmental Health and is complaint driven.

Mayor Salinas asked if we could require insurance. Senior Planner Thompson stated that it can be

placed in the ordinance if decided. Chief Economic Development Officer Nguyen added that vendors will all have to comply with all of Alameda County Health Department requirements.

Council Member Andrews asked about creating a maker's space and the feasibility in Hayward on city-owned land. Chief Economic Development Officer Nguyen stated that the Surplus Land Act would be a barrier. Council Member Andrews stated that partnering with HARD can be beneficial for this type of activity.

Council Member Andrews and Mayor Salinas commended Senior Planner Thompson for the work done on this topic.

3. HAYWARD UPWARD ECONOMIC RECOVERY PROGRAM PLAN UPDATE: TUITION ASSISTANCE PROGRAM

Chief Economic Development Officer Nguyen introduced Economic Development Specialist Daniel Mao who gave the presentation.

Council Member Andrews asked if talks with HUSD or HLAC are held around the graduating seniors in the transition that may be finding difficulties finding jobs. They state a workforce fair is aligned with her idea of job clearing house. Economic Development Specialist Mao stated that there is no direct connection with HUSD right now but one of the program partners, Eden ROP, specifically provides assistances to high school students.

Chief Economic Development Officer Nguyen stated that there will be a robust marketing campaign. Council Member Andrews asked if a website can be added to the campaign so that students can locate all the information. Chief Economic Development Officer Nguyen stated that a project webpage can be added.

City Manager McAdoo added that in the next HLAC meeting there is a topic around summer activities for the youth and it can be added as an opportunity.

Mayor Salinas stated he serves on the Friends of Chabot College Foundation Board but he did not generate this program nor is he benefiting from this program. He stated that the discussions by City staff are being conducted with the Executive Director Yvonne Wu Craig.

Mayor Salinas suggested collecting data around what are the classes grantees are taking and if they are matching what industry the students eventually will work in. Economic Development Specialist Mao answered that is the intent through the application process. Mayor Salinas would have liked to also see if they are transfer students and if they are transferring any faster than any other student. He then stated that college students on the finish line may face difficulties paying the last semesters and would be interested to see the impact of these funds.

Mayor Salinas added when the new superintendent of HUSD is on board, the City should share this program information.

4. FUTURE MEETING TOPICS AS OF APRIL 3, 2023

Mayor Salinas reviewed the future meeting topics and asked if the "Economic Impacts of COVID-19 and

Trends" item was permanent. Chief Economic Development Officer Nguyen stated that it is placeholder for updates on the ARPA Economic Recovery Program. He stated that staff will change the name to "Hayward Upward Economic Recovery Program Updates" for better clarity.

Council Member Andrews asked if the Fiber/Broadband can be prioritized and requested staff add a quarter target date. She asked staff to collect data from The Stacks Record Shop as part of their research because they have not reported connection issues unlike the surrounding businesses in the downtown area.

COMMITTEE MEMBER/ STAFF ANNOUNCEMENTS AND REFERRALS

Chief Economic Development Officer Nguyen announced that Nick the Greek on Hesperian Blvd. is now open for business. Council Member Andrews added that Gong Cha, a boba tea shop, is also now open on Hesperian Blvd.

Council Member Andrews stated she would like to see a new boba shop in South Hayward. Chief Economic Development Officer Nguyen stated the brokers at SoHay development on Mission indicated a boba tea user had signed a lease.

ADJOURNMENT: The meeting was adjourned at 5:57 p.m.