



**MINUTES OF THE SPECIAL CITY COUNCIL MEETING  
OF THE CITY OF HAYWARD  
777 B Street, Hayward, CA 94541  
Tuesday, July 26, 2016**

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**SPECIAL CITY COUNCIL MEETING  
BOARD, COMMISSIONS, COMMITTEE AND TASK FORCE INTERVIEWS  
Conference Room 2B – 4:00 PM**

**CALL TO ORDER**

**ROLL CALL:** Council Member Zermeño absent

**PUBLIC COMMENTS**

There were none.

**COUNCIL ACTION**

1. Board, Commissions, Committee and Task Force Interviews **RPT 16-086**  
The City Council interviewed ten applicants.

2. Selection of New Members  
The City Council selected members to be confirmed on September 13, 2016.

The City Council adjourned to a Special City Council Meeting.

**SPECIAL CITY COUNCIL MEETING  
Council Chambers – 7:00 PM**

**Via Teleconference Location  
Hotel Camino Real  
Avenida Vallarta, No. 5005  
Colonia Chapalita  
Guadalajara, Jalisco 45040, México**

The City Council meeting was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Salinas.

Mayor Halliday noted that pursuant to Government Code Section 54953 (b) (4), the meeting included a teleconference from Guadalajara, Jalisco. Council Member Zermeño participated via teleconference.

## ROLL CALL

Present: COUNCIL MEMBERS Márquez, Mendall, Peixoto, Lamnin, Salinas  
COUNCIL MEMBER Zermeño (Via Teleconference)  
MAYOR Halliday  
Absent: None

## PUBLIC COMMENTS

Mr. Alfredo Rodriguez, Vintage Alley business owner, invited all to the 3<sup>rd</sup> Annual Vintage Alley Car Show - a Tribute to Our Veterans, on September 10, 2016.

Mr. Kim Huggett, President of the Hayward Chamber of Commerce, announced the last Downtown Street Parties on August 18, 2016. Mr. Huggett thanked City Manager David for her contributions to the City; and congratulated Assistant City Manager McAdoo on her appointment as the new City Manager.

Mr. Charlie Peters, with Clean Air Performance Professionals, spoke about an article from the Washington Post entitled "California Sues EPA Over Emissions Rules."

## LEGISLATIVE BUSINESS

At the request of Mayor Halliday, the City Council unanimously agreed to move Legislative Item No. 2 before Item No. 1.

1. Adoption of a Resolution Appointing Kelly McAdoo City Manager of the City of Hayward Effective August 1, 2016 (Report from Mayor Halliday) **LB 16-088**

Staff report submitted by Mayor Halliday, dated July 26, 2016, was filed.

Mayor Halliday provided a synopsis of the report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 7:36 p.m.

Council Member Mendall offered a motion per the Mayor's recommendation and Council Member Márquez seconded the motion.

Council Member Salinas noted the process was vetted by the Council Appointed Officers Committee and congratulated all in the appointment process.

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



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Resolution 16-155, "Resolution Approving the Appointment of Kelly McAdoo as City Manager of the City of Hayward Effective August 1, 2016"

AYES: Council Members Zermeño, Márquez, Mendall,  
Peixoto, Lamnin, Salinas  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAINED: None

2. Submission of Cannabis Tax Measure to Hayward Voters on November 8, 2016 (Report from City Attorney Lawson) **LB 16-090**

Staff report submitted by City Attorney Lawson, dated July 26, 2016, was filed.

City Manager David provided a synopsis of the report.

Mayor Halliday opened the public hearing at 7:21 p.m.

Mr. Karl Schultz, Hayward resident, spoke against the enactment of a cultivation tax for marijuana leaves and flowers.

Mayor Halliday closed the public hearing at 7:24 p.m.

Council Member Mendall offered a motion per staff's recommendation noting he concurred with the changes made to the ballot question.

Council Member Lamnin seconded the motion indicating support for clear ballot language and for information to be available on the City's website.

Council Member Márquez supported the motion and offered an amendment to the motion to include that the Council wanted to file an argument in favor of the ballot measure.

Council Members Mendall and Lamnin concurred with the amendment.

Mayor Halliday noted that the Council's action sought an effort to preserve the right to keep local control.

City Manager David suggested modifying the ballot question so that the word “City” would be replaced with “City of Hayward”; and noted that the amendment would not affect the word count as “City of Hayward” was counted as one word. Council Member Mendall and Lamnin were amenable to modifying the ballot question.

It was moved by Council Member Mendall, seconded by Council Member Lamnin, and carried unanimously, by the following roll call vote to adopt the resolution with an amendment to the ballot question by replacing the word “City” with “City of Hayward”:

Resolution 16-154, “Resolution Calling a Special Municipal Election in the City of Hayward for the Purpose of Submitting to the Voters a Measure Relating to the Enactment of a Cannabis Transaction and Use Tax; Setting Forth the Statement of the Measure to be Voted Upon; Fixing the Date and Manner of Holding the Election; and Requesting the Board of Supervisors of Alameda County to Provide for the Consolidation of the Special Municipal Election with the Statewide Presidential Election to be Held on November 8, 2016, and to Provide Election Services”

AYES: Council Members Zermeño, Márquez, Mendall,  
Peixoto, Lamnin, Salinas  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAINED: None

### **CITY MANAGER’S COMMENTS**

There were none.

### **COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Council Member Márquez asked staff to present to the City Council plans for promotional opportunities to highlight the All-America City 2016 recognition.

Council Member Mendall announced the Ellie Mae Classic at TPC Stonebrae was taking place from July 28 to July 31, 2016, and he invited all to attend.

Mayor Halliday announced the City Council will be in recess for the month of August and will reconvene on September 13, 2016.

### **ADJOURNMENT**

Mayor Halliday adjourned the meeting at 7:42 p.m., in honor of City Manager Fran David and in recognition for her years of service to the City of Hayward.



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**APPROVED:**

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Barbara Halliday  
Mayor, City of Hayward

**ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward