



MINUTES OF THE MEETING OF THE CITY COUNCIL
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, February 20, 2018, 7:00 p.m.

The Meeting of the Hayward City Council was called to order by Mayor Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Cub Scout Pack No. 765 from the Golden Oak Montessori School.

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Márquez, Peixoto, Lamnin, Salinas
MAYOR Halliday
Absent: COUNCIL MEMBER Mendall

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson announced the City Council convened in closed session regarding three items: 1) conference with legal counsel pursuant to Government Code 54956.9 concerning Nelson v. City of Hayward, et al., Alameda County Superior Court, No. RG16822362; 2) conference with legal counsel regarding Askia v. City of Hayward, et al., Alameda County Superior Court, No. HG16809656; 3) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups, and noted there was no reportable action related to Items 1) and 3). Regarding Item 2), Mr. Lawson noted that the City Council approved the recommendation to settle the case with Council Member Zermeño moving and Council Member Márquez seconding the item and Council Member Mendall absent.

PRESENTATION

Mayor Halliday read a Certificate of Commendation presented to Ms. Carmen Sylvia Kelly for her service, achievements, business, and influence on the City of Hayward. Ms. Kelly thanked the Council for such a recognition.

PUBLIC COMMENTS

The following City of Hayward employees asked the Council to make City workers “whole”, restore wage cuts, and negotiate fairly.

Mr. Michael Stotts
Ms. Megan Bucci, President of SEIU Local 1021 Clerical Chapter
Mr. Gilbert Heslia, President of SEIU Local 1021 Maintenance Chapter

Mayor Halliday and City Manager McAdoo showed appreciation for the City workers, and expressed their desire to settle the Public Employment Relations Board (PERB) issues.

Mr. Jim Drake, Hayward resident, advocated for City employees, and he also noted the need for more Police officers to patrol the streets.

Mr. Charlie Peters, Clean Air Performance Professionals representative, reported the temperature at the Hayward Area Senior Center was inadequate, and submitted an article related to air pollution.

CONSENT

1. Minutes of the Special Joint Meeting of the City Council and the Hayward Area Recreation and Park District Board of Directors on January 30, 2018 **MIN 18-028**

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously with Council Member Mendall absent, to approve the minutes of the Special Joint Meeting of the City Council and the Hayward Area Recreation and Park District Board of Directors on January 30, 2018.

2. Minutes of the City Council Meeting on February 6, 2018 **MIN 18-029**

It was moved by Council Member Márquez, seconded by Council Member Lamnin, and carried unanimously with Council Member Mendall absent, to approve the minutes of the City Council on February 6, 2018.

3. Recycled Water Storage and Distribution System Project: Authorization to Execute an Amendment to Professional Services Agreement with West Yost Associates to Increase the Contracted Amount for Additional Engineering Support Services **CONS 18-089**

Staff report submitted by Utilities and Environmental Services
Director Ameri, dated February 20, 2018, was filed.

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

Resolution 18-012, "Resolution Authorizing the City Manager to Amend the Agreement with West Yost Associates to Increase the Contract Amount for Professional Services for the Recycled Water Storage and Distribution Project No. 07507 to Not Exceed Amount of \$1,498,000"

4. Authorization to Amend the Legal Services Agreement with Downey Brand LLP to Increase the Contracted Amount for Specialized Legal Support on Water Resources-Related Matters **CONS 18-090**

Staff report submitted by Utilities and Environmental Services
Director Ameri and City Attorney Lawson, dated February 20, 2018, was filed.

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

Resolution 18-013, "Resolution Authorizing the City Attorney to Amend the Agreement with Downey Brand LLP to Increase the Contract Amount for Specialized Legal Support Services for



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Water Resources-Related Matters to Not Exceed Amount of \$150,000”

5. Resolution Authorizing the City Manager to Submit an Application for a Priority Development Area (PDA) Staffing Assistance Grant **CONS 18-095**

Staff report submitted by Interim Development Services Director Bristow and Interim Public Works Director Ameri, dated February 20, 2018, was filed.

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

Resolution 18-014, “Resolution Authorizing Development Services Department and Public Works Engineering and Transportation to Proceed with PDA-Staffing Assistance Grant Application and Submission”

6. Pavement Maintenance Technical Assistance (P-TAP) Grant from the Metropolitan Transportation Commission (MTC) to update the City’s Pavement Management Program – Authorization to Accept the Grant **CONS 18-104**

Staff report submitted by Interim Public Works Director Ameri, dated February 20, 2018, was filed.

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

Resolution 18-015, “Resolution Authorizing the City Manager to Accept a Pavement Management Technical Assistance Program (P-Tap) Grant in the Amount of \$85,000”

PUBLIC HEARING

7. Public Hearing Regarding the Adoption of a Resolution of the City Council of the City of Hayward Approving the Issuance of Obligations by the California Enterprise Development Authority (“CEDA”) for the Purpose of Financing and Refinancing the Cost of Acquiring, Constructing, Improving, Installing, Equipping and Furnishing the Real Property and Improvements Located at 25001 Industrial Boulevard, Hayward, California 94545 (the “Facilities”) for the benefit of Life Chiropractic College West, Incorporated, or Any Affiliate Thereof or Successor Thereto (the “College”) (Report from Director of Finance Claussen) **PH 18-008**

Staff report submitted by Finance Director Claussen, dated February 20, 2018, was filed.

Finance Director Claussen provided a synopsis of the staff report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 7:30 p.m.

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

Resolution 18-16, "A Resolution of the City of Hayward Approving the Issuance of Tax-Exempt Obligations by the California Enterprise Development Authority in an Aggregate Refinance Facilities for the Benefit of the Life Chiropractic College West, Incorporated"

LEGISLATIVE BUSINESS

8. FY 2018 Mid-Year Budget Review & General Fund Long Range Financial Model Update (Report from Finance Director Claussen) **LB 18-007**

Staff report submitted by Finance Director Claussen, dated February 20, 2018, was filed.

Discussion ensued among Council Members and City staff regarding: General Fund revenues, expenditures, and balance; staffing changes in the Police Department; General Fund transfer to the Facilities Capital Fund to secure employee parking; loans to Eden Housing and Habitat for Humanity; next steps and the budget work session on April 28, 2018; Sales Tax increase; mutual aid reimbursement; funds to contract legal services for the Residential Stabilization Program; new library and Sunday hours; change in reserves-surplus; FY 2018 General Fund revenues; and new appropriations for plan check services.

Council Member Márquez requested that an analysis of Sales Tax strength attributes be presented to the Council Economic Development Committee.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:06 p.m.

It was moved by Council Member Lamnin, seconded by Council Member Zermeño, and carried unanimously with Council Member Mendall absent, to adopt the following:

Resolution 18-017, "Resolution Amending Resolution 17-086, As Amended, the Budget Resolution for the City of Hayward Operating Budget for Fiscal Year 2018, Relating to an Appropriation of Funds"



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Resolution 18-018, "Resolution Amending Resolution 17-086, As Amended, the Budget Resolution for the City of Hayward Capital Improvement Projects for Fiscal Year 2018, Relating to an Appropriation of Funds"

CITY MANAGER'S COMMENTS

City Manager McAdoo made two announcements: 1) the Rental Housing Affordability Strategies community discussion will be held on February 26, 2018 at the Matt Jimenez Community Center; and 2) the California Department of Water Resources' recommendation to award a \$1 million grant to the City and East Bay Municipal Utility District to prepare the Groundwater Sustainability Plan for the East Bay Plain.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Zermeno announced the Latino Business Roundtable meeting on February 23, 2018, at St. Rose Hospital will include the success story of the "Books on B" business.

Council Member Salinas announced that he, along with the Hayward High Chinese Mandarin Program, will be participating in the San Francisco Chinese New Year 2018 Parade on February 24, 2018.

Council Member Márquez announced the Keep Hayward Clean and Green Task Force will be holding a beautification event at Tyrell Elementary School on February 24, 2018.

Mayor Halliday shared she threw out the first pitch at the Girls Tennyson Softball game.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 8:15 p.m., in memory of the seventeen individuals who lost their lives in Parkland, Florida on February 14, 2018, and wished the best to those who survived the tragedy.

APPROVED:

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward