



**MINUTES OF THE OF SPECIAL JOINT CITY COUNCIL/REDEVELOPMENT
SUCCESSOR AGENCY BOARD/HOUSING AUTHORITY BOARD MEETING
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 17, 2018, 7:00 p.m.**

The Meeting of the Special Joint City Council/Redevelopment Successor Agency Board/Housing Authority Board was called to order by Mayor/Chair Halliday at 7:00 p.m., followed by the Pledge of Allegiance led by Council/RSAB/HAB Member Mendall.

ROLL CALL

Present: COUNCIL/RSAB/HAB MEMBERS Zermeño, Márquez, Mendall, Peixoto,
Lamnin, Salinas
MAYOR/CHAIR Halliday
Absent: None

CLOSED SESSION

City Attorney Lawson announced that the City Council convened in closed session at 3:30 p.m., to discuss four items: 1) conference with legal counsel pursuant to Government Code 54956.9 regarding City of Hayward v. California State University Trustees, et al., Alameda County Superior Court No. RG18895213; 2) conference with property negotiators pursuant to Government Code 54956.8 regarding State owned parcels along the Route 238 bypass alignment; 3) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups; and 4) annual performance evaluation of the City Manager pursuant to Government Code 54957. City Attorney Lawson noted there was no reportable action related to Items 1 to 3, and Mayor Halliday indicated that there was no reportable action related to Item 4.

PRESENTATION

Mayor Halliday announced the 35th Annual Earth Day Poster and Writing Contest Awards presentation. It was noted that 266 entries were received from students representing 15 Hayward schools, and five judges from the Hayward Arts Council evaluated and selected the winners. Council Member Mendall, who serves as the chair of the Council Sustainability Committee, announced 18 Poster and Writing Contest winners who were recognized with gift certificates and 17 teachers who were also recognized with gift certificates.

PUBLIC COMMENTS

Mr. Didacus Ramos, Hayward resident, thanked staff for meeting with the Burbank neighborhood community, and announced his 2018 candidacy for a Council seat.

Ms. Wynn Grcich, Hayward resident, spoke about global climate modifications and showed related items.

Ms. Alicia Lawrence, Hayward resident, clarified the “just cause protections for all tenants” recommendation by The Hayward Collective, and advocated for an anti-displacement policy.

Ms. Veronica Solorio, Hayward resident, advocated for removing “Vacancy Decontrol” from Hayward’s Residential Rent Stabilization ordinance, and added that protecting rent control will not affect development.

Mr. Charlie Peters, Clean Air Performance Professionals representative, spoke about auto repair scams and submitted related items.

Ms. Leslie Montes Guillen, Hayward resident, advocated for “just cause eviction protection” for tenants in Hayward.

Ms. Rosaura Mendoza, The Hayward Collective member, advocated for a one-year moratorium on rent increases.

Mr. Nick Harvey, spoke about price gouging and the leasing of vacant commercial spaces.

Consent Item No. 8 was removed from the Consent Calendar for separate vote.

CONSENT

1. Minutes of the City Council Meeting on March 27, 2018 MIN 18-054

It was moved by Council Member Mendall, seconded by Council Member Peixoto, and carried unanimously, to approve the minutes of the City Council Meeting on March 27, 2018.

2. Minutes of the City Council Meeting on April 3, 2018 MIN 18-055

It was moved by Council Member Mendall, seconded by Council Member Peixoto, and carried unanimously, to approve the minutes of the City Council Meeting on April 3, 2018.

3. Resignation of Ms. Luci Rogers from the Library Commission CONS 18-233

Staff report submitted by City Clerk Lens, dated April 17, 2018,
was filed.

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

Resolution 18-059, “Resolution Accepting the Resignation of
Luci Rogers from the Library Commission”

4. Adoption of Resolution Approving the Amendment and Extension of Memoranda of Understanding between the City of Hayward and the Hayward Firefighters, Local 1909 and Hayward Fire Officers Association and Authorizing Staff to Execute the Agreements (Report will be available no later than Monday, April 16, 2018) CONS 18-217



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Staff report submitted by Human Resources Director Collins,
dated April 17, 2018, was filed.

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

Resolution 18-060, "Resolution Approving the Amendment and Extension of the Memoranda of Understanding between the City of Hayward and Hayward firefighters, Local 1909 and the Hayward Fire Officers Association and Authorizing Staff to Execute the Agreement"

5. Request for Sewer Service for a Property at 27489 Fairview Avenue in Unincorporated Alameda County, requiring Adoption of a Resolution Authorizing the City Manager to File an Application with the Alameda County Local Agency Formation Commission for Approval of an Out-of-Service Area Agreement and to Execute Utility Service and Public Street Improvement Agreements; Application No. USA 18-01; Reina Murray (Owner) **CONS 18-224**

Staff report submitted by Interim Development Services
Director Bristow, dated April 17, 2018, was filed.

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

Resolution 18-061, "Resolution Authorizing the City Manager to Apply to the Alameda County Local Agency Formation Commission for Approval to Allow the City to Provide Sewer Services to 27489 Fairview Avenue, Bearing Assessor's Parcel Number 425-0500-013-00, and Further Authorizing the City Manager to Execute Utility Service (USA 18-01) and Public Street Improvements Agreements"

6. Approval to Increase and Appropriate Funds for FY 2018 Capital Improvement Program (CIP) Budget for the Information Technology Capital Fund in the amount of \$106,960 to Maintain the City's East Bay Regional Communications Systems Authority Infrastructure (EBRCSA) **CONS 18-234**

Staff report submitted by Fire Chief Contreras and Information
Technology Director Kostrzak, dated April 17, 2018, was filed.

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

Resolution 18-062, "Resolution Amending Resolution 17-088, the Budget Resolution for Capital Improvement Projects for Fiscal Year 2018, Relating to an Technology Capital Fund to Maintain the City's East Bay Regional Communications Systems Infrastructure"

7. Authorization to Enter into an Exclusive Negotiating Rights Agreement with The True Life Companies, for a Proposed Development of Former Route 238 Parcel Group 2 off of Tennyson Road and Mission Boulevard **CONS 18-246**

Staff report submitted by Economic Development Manager Hinkle, dated April 17, 2018, was filed.

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

Resolution 18-063, "Resolution of the City Council of the City of Hayward Authorizing the City Manager to Negotiate and Execute an Exclusive Negotiation Rights Agreement between the City of Hayward and the True Life Company for a Proposed Development Located a 2300 Foothill Boulevard"

8. Approval of Route 238 Tenant Transfer Assistance Program and Appropriation of Program Funding **CONS 18-259**

Staff report submitted by Patrick O'Keeffe, Management Partners, dated April 17, 2018, was filed.

Public members requested to speak on the item.

Mayor Halliday opened the public comments section at 7:58 p.m.

The following individuals expressed: concerns for the Caltrans tenants that will need to vacate by the end of July; asked about the demolition plans for vacated properties; asked for information about purchase options following development; expediting the demolition of current vacant properties first; the rental termination deadline was not sufficient time to vacate and the amount of incentive payment should be the same for all tenants and not higher for immediate moves; and the hardship to find a place during a housing crises. Affected tenants pleaded with the Council to reconsider the timing and process for moving tenants out.

Mr. Thomas Birt Jr., Bunker Hill Boulevard resident
Mr. Anthony Fidel, Bunker Hill Boulevard resident



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Mr. Jon Meyers, Hayward resident
Ms. Debbie Frederick, Bunker Hill Boulevard resident
Ms. Collen Cagurangan, Westview Way resident
Mr. Richard Reynaga, Hayward resident
Mr. Kirk De Young, Hayward resident
Ms. Veronica Solorio, Hayward resident
Mr. Renard Johnson, Bunker Hill Boulevard tenant
Ms. Jeena Morales, Hayward resident
Ms. Robert Pacca, Maitland Drive tenant

Mayor Halliday closed the public comments section at 8:29 p.m.

City Manager McAdoo noted the City had engaged in conversations with Caltrans and tenants and the City was ready to start the process.

Discussion ensued among Council Members and City staff about Parcel Group 5 tenants; the stipend provided in 2010; hazardous materials that will need to be removed prior to demolition of current vacant properties; and the rental termination date and incentive payments.

Council Member Lamnin offered a motion to table the item for one month to enable time for further conversation with the community and to achieve consensus on how to move forward.

Council Member Márquez seconded the motion.

It was moved by Council Member Lamnin, seconded by Council Member Márquez, and carried with the following vote, to table the item for one month to enable time for further conversation with the community and to achieve consensus on how to move forward.

AYES:	COUNCIL MEMBERS Zermeño, Márquez, Lamnin, Salinas MAYOR Halliday
NOES:	COUNCIL MEMBERS Mendall, Peixoto
ABSTAIN:	None

PUBLIC HEARING

9. Approval of FY 2019 Community Agency Funding Recommendations (Report from Assistant City Manager Hurtado) **PH 18-030**

Staff report submitted by Community Services Manager Bailey,
dated April 17, 2018, was filed.

Assistant City Manager Hurtado announced the item and introduced Community Services Manager Bailey who provided a synopsis of the staff report.

City staff responded to questions from City Council members related to the FY 2019 Community Development Block Grant (CDBG) Administration cost; Eden I&R Program future allocation; City-operated programs that will be included in the competitive process; and the Hayward Municipal Band funding request.

Mayor Halliday opened the public hearing at 9:02 p.m.

The following speakers spoke in favor of the Hayward Municipal Band and urged the Council to fund the Hayward Municipal Band with the requested amount of \$15,688 which represented an additional \$6,000 to the recommended funding allocation.

Mr. Charles Moore, Hayward Municipal Band musician
Mr. Mike Basta, Hayward Municipal Band musician
Ms. Lolita Morelli, Hayward Municipal Band manager
Mr. Nicholas Vigil
Mr. Michael Marinak, Hayward Municipal Band concert master
Ms. Kathy Maier, Hayward resident and Hayward Municipal Band director
Ms. Nancy Simonson, Hayward resident
Mr. Greg Simonson, Hayward resident

Ms. Jade Milburn, Downtown Streets Team Case Manager, thanked the Council for accepting the recommended funding allocation for the Downtown Streets Team.

Ms. Erin Scott, Family Violence Law Center Executive Director, was troubled by the \$20,000 decrease in allocation for the Family Violence Law Center and urged the Council to reconsider the funding allocation.

Ms. Julie Roche, Community Services Commission Vice Chair, explained the funding allocation process, and suggested that moving forward the Council may want to consider removing the Hayward Municipal Band from the competitive process.

Ms. Vera Viammett, Ruby's Place Director, spoke about the services provided by Ruby's Place and noted the \$10,000 decrease in funding will impact service delivery.

Mr. Ralph Morales, South Hayward Parish Emergency Food Program Director, thanked the Council for accepting the funding recommendations.

Mayor Halliday closed the public hearing at 9:32 p.m.

The City Council thanked community agency representatives for their input and thanked members of the Community Services Commission for the funding recommendations.



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Council Member Lamnin offered a motion per staff's recommendation with amendments: that the Eden I&R 2-1-1 Program be removed from the competitive process and be revisited every five years; that for FY 2020 the Rebuilding Together and Habitat for Humanity be removed from the competitive process; and that the overhead cost for CDBG Administration be evaluated for the coming year.

Council Member Márquez seconded the motion.

Discussion ensued among City Council members and City staff about the funding recommendations.

Council Member Lamnin withdrew her motion and offered a new motion to accept the Community Services Commission's FY 2019 community agency funding recommendations.

Council Member Mendall seconded the motion.

Discussion ensued among Council Members and City staff about the funding recommendations and increasing the funding for the Hayward Municipal Band by \$6,000; however, there was no consensus about including that as part of the motion.

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

Resolution 18-064, "Resolution Authorizing the City Manager to Apply for Federal Assistance Under the Community Development Block Grant (CDBG) Program for Federal Fiscal Year 2018-2019"

City Council members provided input about the six considerations for the FY 2020 funding process.

There was consensus among Council members regarding Consideration No. 1 (Complete an RFP process for the Affirmatively Affirming Fair Housing services requirement.)

The City Council was in general agreement with Consideration No. 2 (Remove Eden I&R 2-1-1 Program from the competitive process and award annually) with a recommendation that the Program be revisited in five years and that staff evaluate funding it through City operated programs.

Four City Council members were in support of Consideration No. 3 (Ensure City of Hayward operated programs are included in the competitive process;) two members preferred that the funding allocation, which was for staffing cost, not be included in the competitive

process; and one member thought the Council should have a discussion prior to the beginning of the funding process.

The City Council was in general support of Consideration No. 4 (Ensure Council reviews any surplus funds in the Infrastructure category) with one suggestion that Council be presented with a short list of items that the Council wants to address in the coming year should funding become available.

The City Council was in agreement with Consideration No. 5 (Have staff review the funding selection criteria utilized by the Community Services Commission to ensure funding recommendations are congruent with Council goals.)

Regarding Consideration No. 6 (Ensure proactive outreach measures are taken to increase potential applications for non-service categorical funding, particularly those that advance affordable housing,) the Council was in agreement with one suggestion that there be an opportunity during the work session for the City Council to revisit priorities.

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

Resolution 18-064, "Resolution Authorizing the City Manager to Apply for Federal Assistance Under the Community Development Block Grant (CDBG) Program for Federal Fiscal Year 2018-2019"

LEGISLATIVE BUSINESS

10. Presentation of Proposed FY 2019 Operating Budget and Update on Five-Year Plan (Report from Finance Director Claussen) LB 18-010

Staff report submitted by Finance Director Claussen, dated April 17, 2018, was filed.

City Manager McAdoo announced the staff report and introduced Finance Director Claussen who provided a synopsis of the staff report and responded to questions about potential revenue generation strategies and additional cost neutral positions.

Mayor Halliday opened the public hearing section at 10:35 p.m.

Ms. Cheryl Penick, Hayward resident, requested additional detailed information about the proposed FY 2019 Internal Services Fees expenditure, pointed out a typographical error in Table 6 - CalPERS Rates for percentage of FY 2018, and recommended that all labor groups be invited to the Saturday budget work session.

Mayor Halliday closed the public hearing section at 10:38 p.m.



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As the item was a presentation of the budget, the Council did not take any action and reserved questions for the budget work session scheduled for Saturday, April 28, 2018.

**11. Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for
FY 2018 (Report from Human Resources Director Collins) LB 18-005**

Staff report submitted by Human Resources Director Collins,
dated April 17, 2018, was filed.

Human Resources Director Collins provided a synopsis of the report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 10:40 p.m.

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

Resolution 18-065, "Resolution Approving the Amended Fiscal
Year 2018 Salary Plan Designating Positions of Employment in
the City Government of the City of Hayward and Salary Range;
and Superseding Resolution No. 17-185 and all Amendments
Thereto"

CITY MANAGER'S COMMENTS

City Manager McAdoo noted that the Main Library and Weekes Branch will be closed on April 19, 2018, to prepare for the move to the new library.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

There were none.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 10:42 p.m.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward