



SPECIAL MEETING OF THE CITY COUNCIL
Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 17, 2020, 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 Council Member Mendall.

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Lamnin, Wahab, Salinas
MAYOR Halliday
Absent: None

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 5:00 p.m., regarding four items: 1) public employment pursuant to Government Code 54957 regarding the City Attorney's annual evaluation; 2) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups; 3) conference with legal counsel pursuant to Government Code 54956.9(d)(4) regarding anticipated litigation; and 4) conference with Director of Emergency Services pursuant to Government Code 54957(a) regarding consideration of affirmation of Declaration of Emergency based on matters posing a threat to the security of essential public services or a threat to the right of access of public services or public facilities, to wit: COVID-19 (Coronavirus).

Mayor Halliday noted there was no reportable action related to Item 1 and City Attorney Lawson reported there was no reportable action related to Items 2 and 3. Regarding Item 4, City Attorney Lawson noted there was no reportable action but there would be public discussion during the regular meeting related to the resolution ratifying the proclamation of local emergency.

PUBLIC COMMENT

Mayor Halliday announced that due to the Alameda County Shelter-in-Place order and the coronavirus (COVID-19) pandemic, the City Council agenda was revised by removing items that were not time-sensitive or of an emergency nature. Mayor Halliday added that public comment would be limited to Agenda Items 1, 2, 3, 4 and 5.

City Clerk Lens noted the revised agenda provided instructions on submitting written comments prior to the meeting or calling (510) 583-4400 during the meeting.

CONSENT

Consent Item 4 was removed from the Consent Calendar to allow for staff presentation and public comment.

1. Approve City Council Minutes of the City Council Meeting on February 25, 2020 **MIN 20-033**

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried unanimously, to approve the City Council Minutes of the City Council Meeting on February 25, 2020.

2. Approve City Council Minutes of the City Council Meeting on March 3, 2020 **MIN 20-034**

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried unanimously, to approve the City Council Minutes of the City Council Meeting on March 3, 2020.

3. Adopt a Resolution Rejecting All Bids, Approving Revised Plans and Specifications, and Calling for Bids for the Sewer Line Replacement Project, Project No. 07694 **CONS 20-165**

Staff report submitted by Public Works Director Ameri, dated March 17, 2020, was filed.

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

Resolution 20-035, "Resolution Rejecting All Bids for the Sewer Line Replacement Project, Project No. 07694, Approval of Revised Plans and Specifications, and Call for Bids."

4. Adopt a Resolution Ratifying the Proclamation of Local Emergency Due to the Spread of a Severe Acute Respiratory Illness Caused by a Novel (New) Coronavirus (COVID-19) **CONS 20-173**

Staff report submitted by Fire Chief Contreras, dated March 17, 2020, was filed.

City Manager McAdoo provided a synopsis of the staff report, updated the Council on measures to slow the spread of the coronavirus (COVID-19) while protecting the health and safety of City staff and the Hayward community and noted modifications to service delivery and limiting non-essential City services in light of the Alameda County Health Officer Shelter-in-Place order issued March 16, 2020.

City Manager McAdoo asked that the proposed resolution be amended by adding a paragraph, at the end of the resolution, that would authorize an appropriation from the City's General Fund in an amount not to exceed \$3 million for emergency-related expenditures and read the proposed language into the record.



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Members of the City Council thanked City Manager McAdoo, her leadership team, and first responders for efforts in helping slow the spread of the coronavirus (COVID-19) and protecting the health and safety of the community.

Discussion and suggestions ensued among Council Members and City staff regarding: Council Member Wahab's "Emergency Stay in Place Ordinance" referral and staff efforts to bring back to Council an ordinance for emergency consideration; a local moratorium on evictions to protect vulnerable residents and ensure landlords are able to pay mortgages; the City's webpage and telephone hotline with language translation capabilities to address questions impacted by the coronavirus; assistance for seniors; City employees' sick and leave balance; payment plans and options for water bills; the City's organization and operation under a state of emergency; available coronavirus updates via Alameda County Public Health by texting 211 211 and typing "coronavirus" in the subject; use of Channel 15 to put out emergency information from the Federal, State, County and City governments and to broadcast the hotline; emergency loan program for low-interest loans to support small businesses; being mindful of City staff and resources; reassurance for the undocumented community; and outreach to local charities.

Mayor Halliday opened the public hearing at 7:45 p.m.

The following speakers participated via telephone:

Ms. Araceli Orozco urged the Council to enact an emergency ordinance on evictions to protect residents who have lost their jobs.

Ms. Sara Prada asked the City and the HPD Community Advisory Panel to put out a statement reassuring the undocumented community that Hayward is a Sanctuary City and to avail from free resources and asked for donations and relief from water bills.

Ms. Elisha Crader urged the Council to enact a strong eviction moratorium and consider the recommendation submitted by The Hayward Collective.

Mayor Halliday closed the public hearing at 7:59 p.m.

Council Mendall offered a motion per staff's recommendation including the revised resolution with added language appropriating \$3 million for emergency expenditures.

Council Member Zermeño seconded the motion.

It was moved by Council Member Mendall, seconded by Council Member Zermeño, and carried unanimously, to approve staff's recommendation, including the additional paragraph at the end of the resolution, regarding authorizing appropriation from the City's General Fund in an amount not to exceed \$3 million for emergency-related expenditures:

Resolution 20-036, "Resolution Ratifying the Proclamation of Local Emergency"

AYES:	COUNCIL MEMBERS Zermeño, Márquez, Mendall, Lamnin, Wahab, Salinas MAYOR Halliday
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

LEGISLATIVE BUSINESS

5. FY 2020 Mid-Year Budget: FY 2020 Mid-Year Budget Review and General Fund Long Range Financial Model Update (Report from Finance Director Claussen) **LB 20-010**

Staff report submitted by Finance Director Claussen, dated March 17, 2020, was filed.

Finance Director Claussen provided a synopsis of the staff report.

Discussion ensued among Council members and City staff regarding the Real Property Transfer Tax (RPTT); appropriation of \$4.4 million for the City Center demolition; Other Post-Employment Benefits (OPEB) balance; poll to gauge voter support for Transit Occupancy Tax (TOT); and coronavirus impact on the City's budget and economy.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:40 p.m.

Members of the City Council offered the following recommendations: consider placing the Transit Occupancy Tax (TOT) on the November 2020 ballot and provide Council with tax rate data from surrounding cities; provide clarification related to Measure C funds prior to the start of FY2021 budget cycle; do not conduct polling for TOT given the current economic climate and results of prior polling; delay consideration of the Business License Tax until 2022; consider similar language to Measure EE (Cannabis Tax-2016) for the TOT related to establishing an increase up to a ceiling; conduct a TOT campaign similar to Measure EE, consider an all-vote-by-mail election in November as regional conversations occur; and start evaluating budgetary reductions for Fiscal Year 2021.

Council Member Lamnin offered a motion per staff's recommendation and consideration for placing the City's Transit Occupancy Tax (TOT) on the November 2020 ballot and authorizing against polling to gauge voter support.



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Council Member Mendall seconded the motion.

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

AYES: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Lamnin,
Wahab, Salinas
MAYOR Halliday
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Resolution 20-037, "Resolution Amending Resolution 19-103,
As Amended, the Budget Resolution for the City of Hayward
Operating Budget for Fiscal Year 2020, Relating to an
Appropriation of Funds"

Resolution 20-038, "Resolution Amending Resolution 19-106,
As Amended, the Budget Resolution for the City of Hayward
Capital Improvement Projects for Fiscal Year 2020, Relating to
an Appropriation of Funds"

6. Middle Income Affordable Housing Financing Program: Adopt a Resolution Approving a Financing Model that Supports the Development of Middle-Income Affordable Housing and Authorize the City Manager to Execute Purchase Option Agreements with CalCHA (Report from City Manager McAdoo) *** (CONTINUED UNTIL FURTHER NOTICE) *** **LB 20-012**

COUNCIL REFERRALS

7. Consider an Item for Discussion on a Future City Council Agenda Regarding the "Preserve & Protect Our Neighbors" Annexation of the Unincorporated Areas of Alameda County by the City of Hayward (Report from Council Member Wahab) *** (CONTINUED UNTIL FURTHER NOTICE) *** **RPT 20-039**
8. Consider an Item for Discussion on a Future City Council Agenda Regarding "Emergency Stay in Place Ordinance" During a Declaration of an Emergency (Report from Council Member Wahab) *** (CONTINUED. Staff is already working collaboratively with other agencies to develop an ordinance for Council consideration that balances needs of the stakeholder groups/to be brought back to Council for emergency consideration as soon as practical.) **RPT 20-040**

CITY MANAGER'S COMMENTS

City Manager McAdoo announced the Downtown Library started offering online resources and the City was fast tracking real time electronic comments for City Council meetings.

COUNCIL REPORTS AND ANNOUNCEMENTS

Members of the City Council reiterated their appreciation for all City personnel in their response to the coronavirus pandemic and urged all to take care for one another and vulnerable groups. It was noted that the Alameda County Mosquito Abatement District had now electric vehicle charging stations and Albany became a new member of the District; the Alameda County Housing Authority continued to provide services; the East Bay Dischargers Joint Powers Authority continued to conduct teleconference meetings; South Hayward Parish and Meals on Wheels were in need of donations and volunteers; and Newark, Pleasanton and Tracy joined the East Bay Community Energy. It was recommended to review the 1989 earthquake emergency protocol; and update the City's website with information about food resources and volunteering opportunities.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 9:10 p.m., in memory of individuals who passed due to the COVID-19 and with hope for a soon end to the pandemic.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward