



**CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, July 20, 2021, 7:00 p.m.**

The City Council meeting was called to order by Mayor Halliday at 7:00 p.m. The meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order No 29-20 dated March 17, 2020, regarding the COVID-19 pandemic. Members of the City Council, City Staff, and members of the public participated via the Zoom platform.

Pledge of Allegiance: Mayor Halliday

ROLL CALL

Present: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño
MAYOR Halliday

Absent: None

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session on July 20, 2021, at 5:00 p.m., with six members present and Mayor Halliday absent, regarding the City Manager's performance evaluation pursuant to Government Code 54957. City Attorney Lawson announced the City Council unanimously approved, with Council Member Salinas moving, Council Member Zermeño seconding and Mayor Halliday absent, to add a labor item to the closed session agenda pursuant to Government Code section 54954.2(b)(2) as the matter came to the attention of City staff after the posting of the agenda. It was reported that Mayor Halliday joined the closed session at 5:14 p.m. Mayor Halliday noted there was no reportable action related to the City Manager's performance evaluation and City Attorney Lawson noted there was no reportable action related to the labor item.

PRESENTATIONS

Mayor Halliday read a Certificate of Commendation presented to Ann and Joe Farias for the donation of \$100,000 made in their name by the Sakai family to support the Teen Programs and the Teen Center at the Downtown Library. Mayor Halliday indicated the Sakai family have been long time supporters of the library and sponsors of the gift. Library Director Addleman thanked the Farias and Sakai families for their generosity and noted the Teen Center will be renamed the Ann and Joe Farias Teen Center.

City Manager McAdoo shared that on July 15, 2021, the State of California Energy Commission, during its public hearing, approved an application by Calpine Corporation to resume operation of its Russell City Energy Center power plant following an unexplained explosion and despite the objections of the City of Hayward. Ms. McAdoo spoke about the explosion at the plant on May 27, 2021, showed photos of the pieces of metal that crashed through the roof on an unoccupied trailer at the City's Housing Navigation Center and on the ground of the City's wastewater treatment plant, shared that the plant failed a 2019 safety

audit by the California Public Utilities Commission (CPUC), and spoke about a tour of the plant and steps to move forward in coordination with Calpine, the Fire Department, CPUC and the City. It was noted that Mayor Halliday, City Manager McAdoo, City Attorney Lawson, Fire Chief Contreras, and Communications Manager Finnie attended the July 15, 2021, public hearing.

PUBLIC COMMENTS

Ms. Manaal Shafi, Community and Government Relations Coordinator with Bloom Energy, invited all to the Inaugural Bloom Energy Stars and Strides 5k/10k and Kids Fun Run on August 22, 2021, in San Jose to support healthcare workers and raise funds for the Valley Medical Center Foundation.

Ms. Alyse Lui, City employee and SEIU 1021 member, noted the Animal Services Division provided public service during the pandemic and urged Council to give its employees a fair contract and noted employees also contribute to the local economy.

Ms. Doris Tang, City employee and HAME member speaking in alliance with IPFTE Local 21 and SEIU, outlined staff accomplishments during the pandemic, and urged Council to invest in City workers.

Mr. Tim Sira, City employee, Hayward resident and SEIU 1021 member speaking in coalition with IPFTE Local 21 and SEIU, noted the work provided to residents by the Utilities Division, read a petition signed by residents in support of City employees and urged Council to invest in City workers.

Ms. Suzanne noted she attended the Russell City Energy Center power plant public hearing; thanked the Mayor and City staff for speaking against the reopening of the plant; asked for the Bay Area Air Quality Management District (BAAQMD) timeline for public input; and hoped for the weekly coordination meetings with the Fire Department to happen continually.

Mayor Halliday noted there will be a 10-day public comment period for the proposed permit, and additional information will be on the website.

Mr. Randy Waage suggested to hang a vinyl banner at the Skywest Golf Course to advertise the website for use of the Skywest Golf Course and workshop dates with Zoom links; and also share information via Facebook.

Council Member Wahab asked the City Manager to address the potential support for having one of the Ohlone tribes recognized by the federal government.

City Manager McAdoo noted there were conversations with the chair of the Muwekman Ohlone Tribe. Mayor Halliday noted it would be appropriate to issue a letter of support and have Council consider a resolution in September.



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CITY MANAGER'S COMMENTS

City Manager McAdoo made three announcements: La Familia, in partnership with Alameda County Food Bank and Eden Youth and Family Center, will hold a food distribution and vaccination event on July 24, 2021 at La Familia Cherryland Testing Site; City staff had a community meeting on July 19, 2021 regarding proposed changes to Patrick Avenue, and will hold a meeting with the Council Infrastructure Committee on July 28, 2021 to address feedback received and proposed changes; and the grand opening of the Heritage Plaza on July 17, 2021 was a successful and well attended event.

CONSENT

Consent Item No. 9 was pulled from the Consent Calendar for public comment.

1. Approve City Council Minutes of the City Council Meeting on July 6, 2021 **MIN 21-100**
It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council meeting on July 6, 2021.

2. Adopt an Ordinance Amending Article 14 of Chapter 6 of the Hayward Municipal Code Regarding Commercial Cannabis Businesses **CONS 21-405**

Staff report submitted by City Clerk Lens dated July 20, 2021, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the ordinance.

| | |
|----------|--|
| AYES: | COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeno MAYOR Halliday |
| NOES: | None |
| ABSENT: | None |
| ABSTAIN: | None |

Ordinance 21-04, "Ordinance of the City of Hayward, California Amending Article 14 of Chapter 6 of the Hayward Municipal Code Regarding Commercial Cannabis Businesses"

3. Adopt an Ordinance Amending the Regulations for Personal Cannabis Cultivation and Commercial Cannabis Land Uses Through the Amendment of Hayward Municipal Code, Chapter 10 (Planning, Zoning and Subdivisions) **CONS 21-406**

Staff report submitted by City Clerk Lens dated July 20, 2021, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the ordinance.

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|----------|--|
| AYES: | COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday |
| NOES: | None |
| ABSENT: | None |
| ABSTAIN: | None |

Ordinance 21-05, “Ordinance of the Council of the City of Hayward Amending the Regulations for Personal Cannabis Cultivation and Commercial Cannabis Land Uses through the Amendment of Hayward Municipal Code, Chapter 10 (Planning, Zoning and Subdivisions)”

4. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \$205,000 in Awarded Grant Funding from the State of California Office of Traffic Safety for the Hayward Police Department **CONS 21-374**

Staff report submitted by Chief of Police Chaplin dated July 20, 2021, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution.

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|----------|--|
| AYES: | COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday |
| NOES: | None |
| ABSENT: | None |
| ABSTAIN: | None |

Resolution 21-152, “Resolution Authorizing the City Manager to Accept and Appropriate \$205,000 in Funding from the State of California Office of Traffic Safety for the Hayward Police Department”



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5. Adopt a Resolution Authorizing the City Manager to: (1) Submit an Application to the California State Department of Housing and Community Development for an Amount Not-to-Exceed \$5 Million; (2) Execute a Standard Agreement and Any Subsequent Amendments, Modifications, or Documents Thereto; (3) Accept and Appropriate Awarded Funds in the Amount Not-to-Exceed \$5 Million; and (4) Allocate Funds, if Awarded, to EAH's Mission Paradise and Resource for Community Development's Parcel Group 8 Affordable Housing Projects **CONS 21-379**

Staff report submitted by Assistant City Manager Ott dated July 20, 2021, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zerméño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-153, "Resolution Authorizing the City Manager to:
1) Submit an Application to the California State Department of
Housing and Community Development for an Amount Not-to-
Exceed \$5 Million; 2) Execute a Standard Agreement and any
Subsequent Amendments, Modifications, or Documents Thereto;
3) Accept and Appropriate Awarded Funds in an Amount Not-to-
Exceed \$5 Million; and 4) Allocate Funds, if Awarded, to EAH's
Mission Paradise and Resource for Community Development's
Parcel Group 8 Affordable Housing Projects"

6. Adopt a Resolution Awarding a Contract to Western Systems for the Purchase of Eleven Traffic Signal Controller Cabinets with Battery Backup Systems in an Amount Not-to-Exceed \$149,992 **CONS 21-387**

Staff report submitted by Director of Public Works Ameri dated July 20, 2021, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermelo
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-154, "Resolution Approving a Contract with Western Systems for the Purchase of Eleven Traffic Signal Controller Cabinets with Battery Backup System, in an Amount Not-to-Exceed \$149,992"

7. Adopt a Resolution Authorizing the City Manager to Transfer and Appropriate \$351,500 in Mutual Aid Funds (Project 05002) to Fire Department's Fiscal Year 2022 Operating Budget **CONS 21-394**

Staff report submitted by Fire Chief Contreras dated July 20, 2021, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermelo
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-155, "Resolution Authorizing the City Manager to Transfer and Appropriate \$351,500 in Mutual Aid Funds (Project 05002) to the Fire Department's Fiscal Year 2022 Operating Budget"

8. Adopt a Resolution Authorizing the City Manager to Accept and Appropriate up to \$110,000 from Hayward Unified School District (HUSD) for the Operation of Library Family Education Program Services for Hayward Unified School District Schools **CONS 21-397**

Staff report submitted by Director of Library Services Addleman dated July 20, 2021, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution.



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Wahab, Zermeno
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-156, "Resolution Authorizing the City Manager to Accept and Appropriate Up to \$110,000 from the Hayward Unified School District (HUSD) for the Operation of Family Education Program Services for Hayward Unified School District Schools"

9. Adopt a Resolution Supporting the Goal for 100% Zero Emission Vehicle Sales in California by 2030 (ZEV2030) **CONS 21-400**

Staff report submitted by Director of Public Works Ameri dated July 20, 2021, was filed.

Mr. Peter Myers, ZEV2030 representative, highlighted the goal for 100% zero emission vehicle sales in California by 2030, noted that if the resolution is approved, Hayward would be joining six other cities and EBCE in support of the goal, and provided zev2030.org for more information.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeno
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-157, "A Resolution Declaring the City of Hayward's Support for the Goal of Reaching 100% Zero Emission Vehicle (ZEV) Sales in California by 2030 and Urging Governor Gavin Newsom, the State Legislature, and the California Air Resources Board to Adopt the 100% ZEV by 2030 Standard in Order to Meet Our Climate Goals for Reducing Greenhouse Gas Emissions"

10. Adopt a Resolution Authorizing the City Manager to Execute an Agreement with Rincon Consultants in an Amount Not-to-Exceed \$599,565 to Prepare General Plan Amendments Related to the Housing Element, Climate Action Plan, Environmental Justice and the Safety Element and Related Environmental Analysis **CONS 21-407**

Staff report submitted by Assistant City Manager/ Development Services Director Ott and Director of Public Works Ameri dated July 20, 2021, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermelo
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-158, "Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Rincon Consultants to Prepare an Update to the Housing Element, Climate Action Plan and Related Safety and Environmental Justice General Plan Updates and Associated Environmental Impact Analysis for an Amount Not-to-Exceed \$599,565"

11. Adopt a Resolution Approving a Side Letter of Agreement between the City of Hayward and the Hayward Association of Management Employees to Make Association Members Who Participated in the Fiscal Year 2021 Furlough Program Whole and Authorizing the City Manager to Execute the Agreement **CONS 21-412**

Staff report submitted by Director of Finance Claussen dated July 20, 2021, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermelo
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None



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Resolution 21-159, "Resolution Approving a Side Letter of Agreement with the Hayward Association of Management Employees to Make Association Members Who Participated in the Fiscal Year 2021 Furlough Program Whole"

12. Adopt a Resolution Approving a Side Letter of Agreement between the City of Hayward and the Hayward Police Management Unit to Make Members who Participated in the Fiscal Year 2021 Furlough Program Whole and Authorizing the City Manager to Execute the Agreement **CONS 21-413**

Staff report submitted by Director of Finance Claussen dated July 20, 2021, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeno
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-160, "Resolution Approving a Side Letter of Agreement with the Hayward Police Management Unit to Make Members Who Participated in the Fiscal Year 2021 Furlough Program"

13. Adopt a Resolution Approving a Side Letter of Agreement between the City of Hayward and International Federation of Professional and Technical Engineers, Local 21 to Make Members who Participated in the Fiscal Year 2021 Furlough Program Whole and Authorizing the City Manager to Execute the Agreement **CONS 21-414**

Staff report submitted by Director of Finance Claussen dated July 20, 2021, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-161, "Resolution Approving a Side Letter of Agreement with International Federation of Professional and Technical Engineers, Local 21 to Make Members Who Participated in the Fiscal Year 2021 Furlough Program Whole"

14. Adopt a Resolution Approving a Side Letter of Agreement between the City of Hayward and Service Employees International Union, Local 1021 to Make Members who Participated in the Fiscal Year 2021 Furlough Program Whole and Authorizing the City Manager to Execute the Agreement **CONS 21-415**

Staff report submitted by Director of Finance Claussen dated July 20, 2021, was filed.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-162, "Resolution Approving a Side Letter of Agreement with Service Employees International Union, Local 1021 to Make Members Who Participated in the Fiscal Year 2021 Furlough Program Whole"

WORK SESSION

15. Fireworks Mitigation Options **WS 21-036**

Staff report submitted by Assistant City Manager Ott dated July 20, 2021, was filed.

Assistant City Manager Ott introduced Policy Fellow Mao who provided a synopsis of the staff report.



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Mayor Halliday opened the public comment section at 8:26 p.m.

Mr. Gabriel Chaparro, HUSD Board Trustee but speaking as a Hayward resident, shared that firework shows are a product of privilege and a great opportunity to teach scientific concepts, and suggested organizing a sanctioned 4th of July parade and launching fireworks from public venues such as the Skywest Golf Course.

Ms. Suzanne noted fireworks are a big issue for Hayward residents and suggested a proactive approach to finding a solution and not waiting until spring 2022 to enact regulations.

Ms. TJ, Hayward Concerned Citizens member, noted noise pollution and safety concerns are the main complaints, suggested streamlining the reporting of fireworks and having a dedicated phone line to report them and using drones to locate offenders, and added that raising fines for violations may have the largest impact and urged for a proactive approach and not waiting until spring 2022.

Mr. Pat Dyas indicated that public displays mitigate the use of illegal fireworks to a degree and suggested discussing professional displays and the use of drones.

Ms. Ro Aguilar supported a Municipal Code change to fine for possession and being a property host, supported the use of drones to photograph individuals as a deterrent, and suggested working with neighboring cities to ban illegal fireworks.

Mr. Tom Ferreira, Hayward Concerned Citizens member, suggested increasing fines for illegal fireworks (\$250 for the first offence, \$500 for the second and \$1000 for the third with a possible misdemeanor charge) and having a posting plan in place for officers to stay on scene to keep everyone safe.

Mr. Kevin Dowling indicated that \$5,000 or \$10,000 fines might get more attention, noted that outreaching to neighborhoods where cases are reported might help, urged for more enforcement, and added that drones might help.

Ms. Brenda Clark encouraged the City to consider a social host ordinance such as San Jose's ordinance that holds the property owner liable for the infraction, have a portal for homeowners to unanimously report activity and have Code Enforcement fine culprits.

Mayor Halliday closed the public comment period at 8:48 p.m.

Members of the City Council thanked City staff and community members for the work, the engagement and input provided.

Discussion ensued among members of the City Council and City staff regarding: the use of drones as "spotters" to issue citations based off surveillance and photographs; a proposed Municipal Code amendment eliminating the need for peace officers to witness fireworks being used and challenges conducting enforcement of State codes governing fireworks;

enforcing challenges due to staff capacity, volume of calls received and other competing calls for service such as drunk drivers and domestic violence; a probable Municipal Code amendment specifying enforcement officers and providing authority to employees other than Code Enforcement staff or Police officers; the Police Department focuses enforcement efforts on 4th of July and New Year's Eve holidays and relies on community members to report other incidents to deploy resources effectively; there was significant seizure done in 2021 based on investigative work to identify people bringing illegal fireworks into the city; Chief Contreras and Chief Chaplin's commitment to leading a regional effort to address illegal fireworks enforcement; and the challenge for cities selling fireworks is that nonprofits depend on firework sales for revenue.

Council Member Zermeño was wary about City-sponsored firework displays, was amenable to support stricter enforcement and larger fines for infractions, suggested a year-round approach to educate the public and contact East Bay organizations that sell fireworks and urge them to sell other products.

Council Member Wahab noted the Municipal Code has outdated sections, was concerned with execution and viability of drones for enforcement, suggested the Police could focus efforts on emergent situations occurring on July 4th and have Maintenance Services staff support enforcement and issuance of citations on July 5th, and added that some residents suggested that volunteers help take photos and share locations.

Council Member Andrews noted she hears fireworks year-round and at all hours of the day, was interested in discussing access to firework displays and addressing equity issues, shared there are public venues where children can see displays such as at sporting events; was interested in efficiency of sting operations, noted that through education people can be informed on how to report incidents, suggested that getting to know neighbors can foster conversations and putting a face to who is being burdened, was concerned with identifying Palma Ceia Park as a location for safe use of fireworks, was concerned about using drones to identify homeowners that might not be responsible for launching fireworks.

Council Member Lamnin concurred that issues with illegal fireworks is not limited to 4th of July celebrations, was concerned about enforcement as the primary approach from a capacity standpoint, was supportive of modifying the Municipal Code as capacity allows and to give staff the tools they need to enforce rules, noted she would not advocate for the City to put on firework displays due to lack of resources and noted there is an opportunity to reach out to the Palma Ceia neighborhood and community partners to solicit input, agreed to evaluate monitoring fireworks with drones while the citywide drone policy is crafted, and added that non-sworn response in addition to the Fire Chief and Police Chief should be part of the community conversation about illegal fireworks enforcement.

Council Member Salinas spoke against allowing fireworks, supported strengthening the Municipal Code, did not support citizen arrests, noted enforcement is key and was amenable to using drone technology, was concerned about the environmental impact of having firework displays at the Hayward Shoreline, suggested adding language to Adopt a Block



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signage to indicate that fireworks are illegal, and noted that neighborhood watch groups could help educate.

Council Member Márquez concurred that the issue with fireworks has been the worst during the last two years, suggested creating a video campaign with short testimonies on how illegal fireworks negatively impact people's lives and sharing via the City's newsletter and social media platforms with a message that Council will take serious action, recommended working in partnership with HARD and HUSD to limit locations being used for illegal activity, appreciated staff leading a regional effort in addressing illegal fireworks enforcement, supported conducting sting operations to deter use, suggested creating as much flexibility as possible so it does not only fall on the Police Department for enforcement, noted she was wary about the use of drones and citing properties, and stressed the need to have another entity leading efforts.

Council Member Wahab shared concerns related to drones, spoke against any activities at the Hayward Shoreline, suggested partnering with the Chamber of Commerce and business associations to have events throughout Hayward and keeping people involved in other activities as an alternative to firework displays.

Council Member Andrews noted that fines might not be a deterrent and suggested a requirement to do community service hours and clean up after fireworks as this might have more impact on offenders' time.

Mayor Halliday noted that aerial and loud fireworks are the ones causing problems for individuals with PTSD (posttraumatic stress disorder) and war veterans, pets, and young children; was inclined to look at the social host nuisance ordinance but not to criminalize it; suggested partnering with HARD and HUSD to get more people in neighborhoods having illegal fireworks; and added that she would be amenable to use drones to find areas of illegal activity.

City Manager McAdoo thanked Council for their feedback; noted staff will review all comments and return with action items for Council to consider.

PUBLIC HEARING

16. Engineer's Report MD-1: Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Maximum Base Assessment Rate, Confirm the Fiscal Assessment Rate, Confirm the Assessment Diagram, Order the Levy and Collection of Fiscal Assessment; and Adopt a Resolution to Approve Funding Recommendations and Appropriate Revenue and Expenditure Budgets for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane, for Fiscal Year 2022 **PH 21-069**

Staff report submitted by Director of Maintenance Services Rullman, dated July 20, 2021, was filed.

Director of Maintenance Services Rullman introduced Management Analyst Blohm who provided a synopsis of the staff report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 9:57 p.m.

In response to Council Member Márquez's inquiries, City staff indicated the new districts will have an inflation factor included moving forward; and Public Works and Maintenance Service staffs are looking at whether flood insurance may be required if the City can no longer maintain improvements and are also evaluating a process for notifying community members.

It was moved by Council Member Marquez, seconded by Council Member Lamnin, and carried by the following roll call vote, to approve the resolutions.

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| AYES: | COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas, Wahab, Zermeño MAYOR Halliday |
| NOES: | None |
| ABSENT: | None |
| ABSTAIN: | None |

Resolution 21-163, "Resolution Approving the Final Engineer's Report, Confirming Maximum Base Assessment Amount, Confirming the Fiscal Assessment Rate, Confirming the Assessment Diagram, And Ordering the Levy and Collection of The Fiscal Assessment for Fiscal Year 2022 For Maintenance District No. 1: Storm Drainage Pumping Station and Storm Drain -Pacheco Way, Stratford Road, And Ruus Lane"

Resolution 21-164, "Resolution Approving Funding Recommendations and Appropriating the Special Revenue Funds for Maintenance District No.1 For Fiscal Year 2022"

Mayor Halliday asked City staff to keep the Council apprised of any future efforts to communicate with the neighborhood.

17. Recommended FY 2022 and FY 2023 Water and Sewer Rates: Adopt a Resolution Amending the Master Fee Schedule and Approving the Proposed Water and Sewer Service Rates **PH 21-065**

Staff report submitted by Director of Public Works Ameri, dated July 20, 2021, was filed.



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Public Works Director Ameri announced the report and introduced Mr. Sanjay Gaur, with Raftelis Consultants, who along with Public Works Director Ameri provided a synopsis of the report related to FY 2022 and FY 2023 Water Rates. Management Analyst Lo provided a synopsis of the staff report related to FY 2022 and FY 2023 Sewer Rates.

Discussion ensued among members of the City Council, City staff and Mr. Sanjay Gaur regarding: the impact of cumulative rates on residents and fixed costs due to contracts and variables that can be mitigated with financial assistance programs; building reserve funds for emergency situations; and financial assistance programs for low income customers or unemployed residents such as the low income fixed rate program and the Advanced Metering Infrastructure (AMI) program and rebates for water leaks.

There being no public comments, Mayor Halliday opened and closed the public hearing at 10:35 p.m.

City Clerk Lens reported that no additional protest letters were received.

Mayor Halliday offered a motion per staff's recommendation.

Council Member Zermeño seconded the motion.

Council Member Márquez recommended that staff educate the community about low-income services and partner with local non-profit agencies to run social media campaigns and encourage residents to avail of resources particularly individuals struggling financially.

Council Member Lamnin supported Council Member Márquez's recommendation and suggested that when the robust engagement process is conducted for East Bay Community Energy programs, staff can share information about resources as well as information on how to reduce water/sewer usage.

Council Member Andrews suggested that the communication campaign include how fat, oil, grease, and wipes negatively impact sewer systems.

Mayor Halliday voiced her support for the recommendations and suggested adding outreach to landlords of multifamily properties.

It was moved by Mayor Halliday, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermelo
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-165, "Resolution Amending the Master Fee
Schedule and Approving Water and Sewer Rates"

Mayor Halliday called for a five-minute recess and reconvened the meeting at 10:45 p.m.

18. Urban Water Management Plan and Water Shortage Contingency Plan: Review and
Approve the 2020 Urban Water Management and 2020 Water Shortage Contingency
Plans **PH 21-064**

Staff report submitted by Director of Public Works Ameri dated
July 20, 2021, was filed.

Director of Public Works Ameri provided a synopsis of the staff report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 11:08 p.m.

Council Member Wahab offered a motion to approve staff's recommendation, expressed
appreciation for the work done by Public Works Director Ameri, and highlighted the
importance of transparency and educating the community.

Council Member Márquez seconded the motion, echoed comments made by Council Member
Wahab about Public Works Director Ameri's expertise and thanked him for presenting the item
initially as a work session.

Mayor Halliday noted it was unfair that during the last drought Hayward was given a lower
target based on a record of water efficiency and having the water cutback across the board may
mean Hayward is unable to build more houses or meet Regional Housing Needs Allocation
(RHNA) numbers; suggested getting the State to do something about the impact of the Bay-Delta
Plan on the City's water supply and consider looking at the Tuolumne River Voluntary
Agreement; and urged to lobby State representatives on these issues.

It was moved by Council Member Wahab, seconded by Council Member Márquez, and carried
by the following roll call vote, to approve the resolutions.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermelo
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None



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Resolution 21-166, "Resolution Adopting the 2020 Urban Water Management Plan for the City of Hayward"

Resolution 21-167, "Resolution Adopting the 2020 Water Shortage Contingency Plan for the City of Hayward"

Public Works Director Ameri acknowledged Maddaus Water and EKI consultants for their contributions to the item.

LEGISLATIVE BUSINESS

19. Unrepresented Salary and Benefits: Adopt a Resolution Amending the Salary and Benefits Resolution for Unrepresented Executives, Management, City Manager's Office, Human Resources, and City Attorney Employees **LB 21-038**

Staff report submitted by Director of Human Resources Sangy dated July 20, 2021, was filed.

Human Resources Director Sangy provided a synopsis of the staff report.

In response to Council Member Marquez's inquiries, it was noted that Council had already taken action to pay back concessions for Unrepresented Executives, Management, City Manager's Office, Human Resources, and City Attorney Employees; and any changes could be made prior to the one-year mark.

There being no public comments, Mayor Halliday opened and closed the public hearing at 11:18 p.m.

Council Member Márquez made a motion to approve staff's recommendation and thanked the group of employees for their work and leadership.

Council Member Wahab seconded the motion and highlighted the need to maintain equity across the board for different groups.

Mayor Halliday noted the City continues its negotiations with labor/bargaining groups and Council was acting on unrepresented employees.

It was moved by Council Member Marquez, seconded by Council Member Wahab, and carried by the following roll call vote, to approve the resolution.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-168, “Resolution Approving an Amendment to the Salary and Benefits Resolution for Unrepresented Executives, Management, City Manager’s Office, Human Resources, and City Attorney Employees”

20. League of California Cities 2021 Annual Conference: Adopt a Resolution Designating Voting Delegates and Alternates for the Annual Conference Scheduled for September 22-24, 2021 **LB 21-037**

Staff report submitted by City Clerk Lens dated July 20, 2021, was filed.

City Clerk Lens provided a synopsis of the staff report.

There being no public comments, Mayor Halliday opened and closed the public hearing at 11:25 p.m.

Council Member Wahab made a motion designating Mayor Halliday as the Voting Delegate to the League of California Cities 2021 Annual Conference and Council Member Salinas as the Alternate.

Council Member Zermeño seconded the motion.

It was moved by Council Member Wahab, seconded by Council Member Zermeño, and carried by the following roll call vote, to approve the resolution designating Mayor Halliday as the Voting Delegate and Council Member Salinas as the Alternate Delegate.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,
Wahab, Zermeño
MAYOR Halliday
NOES: None
ABSENT: None
ABSTAIN: None

Resolution 21-169, “A Resolution Designating a Voting Delegate and an Alternate Voting Delegate as Hayward’s Representatives to the League of California Cities 2021 Annual Conference”



**CITY COUNCIL MEETING
REMOTE PARTICIPATION
Tuesday, July 20, 2021, 7:00 p.m.**

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Member Salinas shared the Hayward Promise Neighborhood will have a cleanup event on July 24, 2021, followed by a barbeque at Glassbrook Elementary School.

Council Member Andrews shared the Keep Hayward Clean and Green Task Force will hold a meeting on July 22, 2021, to discuss the July 24, 2021, cleanup event at the Giuliani Plaza.

Council Member Lamnin shared that Alameda County will host redistricting training workshops on July 24, 2021 and August 11, 2021; and noted the County has launched a website at <https://redistricting2021.acgov.org> to gather community input on supervisorial districts.

Council Member Zermeno expressed gratitude for staff and the community in anticipation of the August recess.

Council Member Márquez acknowledged everything the community, City Council, and City staff have accomplished during the last year and encouraged everyone to take time to reset in August.

Mayor Halliday announced the City Council will conduct interviews for service on City commissions on July 27, 2021, during a special City Council meeting, and after the August recess there will be a joint meeting of the City Council and HUSD Board of Trustees on September 14, 2021.

COUNCIL REFERRALS

None received.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 11:38 p.m.

APPROVED

Barbara Halliday
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward