



## **CITY COUNCIL MEETING**

**777 B Street, Hayward, CA 94541**

**Virtual Platform - Zoom**

<https://hayward.zoom.us/j/82246711452?pwd=TlR2WnlXb3o4cUlxTG9MYU5DY05FQT09>

**Tuesday, October 19, 2021, 7:00 p.m.**

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The City Council meeting was called to order by Mayor Halliday at 7:00 p.m. The City Council held a hybrid meeting which included in-person and teleconference participation by members of the City Council, staff and public.

**Pledge of Allegiance:** Council Member Andrews

### **ROLL CALL**

Council Chamber: COUNCIL MEMBERS Salinas, Zermeño  
MAYOR Halliday

Virtual Platform (Zoom): COUNCIL MEMBERS Andrews, Lamnin, Márquez, Wahab

### **PUBLIC COMMENTS**

Mr. Danny Magalhaes, WPCF City employee and HAME Vice President, spoke on behalf of the Coalition (HAME, IFPTE Local 21 and SEIU 1021) asking for a fair and equitable contract.

Ms. Melissa Josue, Hayward resident, urged the City Council to vote no on City Council Referral-Item 10.

### **CITY MANAGER'S COMMENTS**

City Manager McAdoo welcomed a delegation from the Japan Local Government Center (CLAIR, New York) sponsored by the Federal Government of Japan that sends representatives to the US for exchange programs to learn more about local government systems and introduced Deputy Executive Director Ms. Miyako Kusakabe.

Ms. Miyako Kusakabe, Japan Local Government Center Deputy Executive Director, introduced Assistant Director Mr. Katsutoshi Kakimoto, Assistant Director Mr. Shuhei Fujimoto and Assistant Director Ms. Risako Kamikasa; and thanked the City Council for the opportunity to visit Hayward.

Mayor Halliday welcomed the delegation and shared City representatives had conversations with the delegates and learned a lot about the differences and similarities between their governments.

Council Member Zermeño also welcomed the delegation and noted they had dinner at Los Carnalitos Restaurant.

## CONSENT

1. Adopt a Resolution Establishing the City Contribution for Active and Retiree Medical Premiums Set by the California Public Employee Retirement System for Calendar Year 2022 Pursuant to California Government Code Section 22892 **CONS 21-487**

Staff report submitted by Director of Human Resources Sangy, dated October 19, 2021, was filed.

It was moved by Council Member Wahab, 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, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-199, "Resolution Establishing the City Contribution for Active and Retiree Medical Premiums Set by the California Public Employees Retirement System (CALPERS) for Calendar Year 2022 Pursuant to California Government Code Section 22892"

2. Adopt a Resolution Approving the Transfer and Appropriation of \$125,560 in Policy Planning Fees for the Next General Plan Update and Other Future Planning Projects **CONS 21-498**

Staff report submitted by Assistant City Manager/ Development Services Director Ott, dated October 19, 2021, was filed.

It was moved by Council Member Wahab, 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, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-200, "Resolution Approving the Transfer and Appropriation of \$125,560 in Policy Planning Fees for the Next General Plan Update and Other Future Planning Projects"



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3. Adopt a Resolution Allocating \$381,538 in HOME Investment Partnership Program Funds and Renewing the Housing Grant Subsidy Agreement with Abode Services for Project Independence to Provide Tenant Based Rental Assistance to Emancipated and Former Foster Care Youth **CONS 21-519**

Staff report submitted by Assistant City Manager Ott, dated October 19, 2021, was filed.

It was moved by Council Member Wahab, 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, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-201, "Resolution Authorizing the Use of Home Investment Partnership Program Funds for Rental Assistance to Emancipated and Former Foster Care Youth Through Abode Services' Project Independence and Authorizing the City Manager to Negotiate and Execute a Two-Year Rental Housing Subsidy Grant Agreement with Adobe Services in an Amount Not to Exceed \$381,538"

4. Adopt a Resolution Authorizing the City Manager to Execute a Three-Year Agreement with Housing and Economic Rights Advocates (HERA) in an Amount Not-to-Exceed \$1,319,598 for Foreclosure Prevention Services **CONS 21-528**

Staff report submitted by Assistant City Manager Ott, dated October 19, 2021, was filed.

It was moved by Council Member Wahab, 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, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-202, “Resolution Authorizing the City Manager to Enter into and Execute a Three-Year Professional Services Agreement with Housing and Economic Rights Advocates in an Amount Not-to-Exceed \$1,319,598 for Foreclosure Prevention Services”

5. Adopt a Resolution Authorizing the City Manager to Accept and Execute a Funding Agreement with Caltrans for the Local Road Safety Plan Funding Program **CONS 21-532**

Staff report submitted by Director of Public Works Ameri, dated October 19, 2021, was filed.

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

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

Resolution 21-203, “Resolution Authorizing the City Manager to Accept \$90,000 from the California Department of Transportation Local Road Safety Plan Grant Program, for Use in the Development of the City’s Local Road Safety Plan Project, Project No. 05738”

6. Adopt a Resolution Accepting the Resignation of Mr. Gerald (Jerry) Sannebeck from the Keep Hayward Clean and Green Task Force, Effective Immediately **CONS 21-539**

Staff report submitted by City Clerk Lens, dated October 19, 2021, was filed.

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

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

Resolution 21-204, “Resolution Accepting the Resignation of Mr. Gerald (Jerry) Sannebeck from the Keep Hayward Clean and Green Task Force”



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7. Adopt a Resolution Authorizing the City Manager to Sign an Agreement to Join Alameda County's ALL IN Eats Partnership **CONS 21-549**

Staff report submitted by City Manager McAdoo, dated October 19, 2021, was filed.

It was moved by Council Member Wahab, 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, Zermeño  
MAYOR Halliday  
NOES: None  
ABSENT: None  
ABSTAIN: None

Resolution 21-205, "Resolution Authorizing the City Manager to Sign an Agreement to Join Alameda County's all in Eats Partnership"

## PUBLIC HEARING

Council Member Andrews disclosed she had to recuse herself from the public hearing because her previous employer had an interest in the project and left the Zoom meeting at 7:23 p.m.

8. Sale of Parcel Group 3 for Development of New Affordable Housing and a School: Adoption of Resolutions (1) Declaring City-Owned Properties Generally Located between Tennyson Road and Broadway Street as Exempt Surplus Lands; and (2) Approving the Government Code Section 52201 Summary Report for the Project; and Authorizing the City Manager to Negotiate and Execute a Disposition and Development Agreement with Eden Housing, Pacific West Communities, and Strategic Growth Partners for Transfer of Specified City Owned Properties; and Amendment of the Parcel Group 3 Affordable Housing Plan (Planning Application #202001594), Consistent with Prior California Environmental Quality Act Determinations **PH 21-087**

Staff report submitted by Assistant City Manager/ Development Services Director Ott, dated October 19, 2021, was filed.

Assistant City Manager Ott provided a synopsis of the staff report and indicated there was a change to the resolution by changing the reference "charter school" to "public community school."

In response to Council Member Márquez's inquiry about safeguards in place for affordable housing project, Assistant City Manager Ott indicated there is a regulatory agreement recorded on the property and that will be restricted for affordable housing in perpetuity.

Mayor Halliday opened the public hearing at 7:38 p.m.

Ms. Daniela Ades, Greenbelt Alliance Marketing and Communications Manager, spoke in support of the La Vista residential project for its commitment to housing affordability, proximity to transit and helping reach goals of reducing greenhouse gas emissions, space dedicated to school and access to open space.

Ms. Claudio Rosendo, parent of student at Primary School, spoke in support of the development of a school as because it is a vital resource for the community.

Ms. Elena Ramos, parent of student at Primary School, expressed support about services provided through the school in partnership with Kaiser and urged approval of the proposed project.

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

Council Member Salinas noted the project had been thoroughly vetted by the Planning Commission, added the project will yield affordable housing in an area that is needed, noted it will provide housing with a school that will serve a population of families and students.

Council Member Salinas made a motion to approve staff's recommendation.

Council Member Zermeño seconded the motion.

Council Member Márquez was pleased about the affordable housing component of the project, thanked all community partners including Greenbelt Alliance, and looked forward to the development being built and more families staying rooted in Hayward.

Council Member Zermeño expressed support for the project for its 176 affordable housing units, an educational component, close to BART, and funds for the La Vista Park; and recommended that sometime in the future the residents/school administrators/teachers consider a notion of a shuttle from BART to the project as the walk uphill is very steep.

Mayor Halliday noted she would be joining her colleagues in supporting the motion.

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



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

Resolution 21-206 “Resolution Declaring City-Owned Properties Located Between Tennyson Road and Broadway Street as Exempt Surplus Land Pursuant to Government Code Section 54221(F)(1)(H)”

Resolution 21-207, “Resolution Approving Government Code Section 52201 Summary Report for the Project; Authorizing the City Manager to Negotiate and Execute a Disposition and Development Agreement with Eden Housing, Pacific West Communities, and the Strategic Growth Partners for Transfer of Specified City Owned Properties and for the Development of New Affordable Housing and a School; and Amending the Parcel Group 3 Affordable Housing Plan (Planning Application #202001594) and Making Specified Findings in Association Therewith Consistent with Prior California Environmental Quality Act Determinations”

Council Member Andrews rejoined the meeting at 7:43 p.m.

## **COUNCIL REPORTS AND ANNOUNCEMENTS**

Council Member Márquez thanked everyone who put on the October 15<sup>th</sup> Mariachi Festival event; noted she had done a ride-along with the Hayward Police Department on October 15<sup>th</sup> and shared positive observations; and highlighted City Hall to You events on October 23<sup>rd</sup> at Longwood Park and on November 6<sup>th</sup> outside of City Hall to provide input on the budget and other community initiatives.

Council Member Lamnin invited all to the Annual Children’s Memorial Ceremony service on October 22<sup>nd</sup> at the Sensory Garden of City Hall and announced the Alameda County Board of Supervisors was holding a final public hearing on redistricting on October 26<sup>th</sup>.

Council Member Zermeño invited all to the Make a Difference Day 2021 clean-up event on October 23<sup>rd</sup> at Weekes Park; and thanked all who attended the successful Mariachi Festival event.

Council Member Andrews thanked former Keep Hayward Clean and Green Task Force (KHCGTF) Member Sannebeck who recently resigned and was instrumental in motivating others to get involved in clean up events; reiterated the Make a Difference Day 2021 event; and announced there were two events on October 30<sup>th</sup> to welcome a new bookmobile “Curbie” in the Heritage Plaza and the Trunk or Treat event at the Eden Youth and Family Center.

Council Member Wahab noted there were important conversations around potential school closures and recommended that interested parents or residents reach out to the HUSD Board of Trustees and Superintendent and attend their town hall meetings.

Mayor Halliday shared she attended City Hall to You events where staff was looking for ideas on participatory budgeting, which was introduced as part of the innovation workshop, and thanked KHCGTF Member Sannebeck for his service on the KHCGTF.

## **COUNCIL REFERRALS**

9. City Council Referral: Consider Adoption of a Resolution Declaring the City of Hayward a Supporter and Defender of Reproductive Freedom **RPT 21-121**

Referral submitted by Council Member Wahab dated October 19, 2021, was filed.

Council Member Wahab noted her support for the separation of church and state, stated the resolution reaffirms the right of women to govern their own body and the right to choose, and added she asked representatives from Hayward’s Planned Parenthood to give a presentation.

Mayor Halliday thanked Council Member Wahab for bringing the item forward.

Mayor Halliday opened the public comment section at 8:04 p.m.

Ms. Katie Goggin, Lead Health Services Specialist at Planned Parenthood Mar Monte, spoke about the right to access abortion services, shared a video from supporter Ms. Muriel Mahrer who shared her story, and noted they are calling on local leaders to stand with patients, staff, and the community and to call on national leaders to do the same regarding reproductive freedom.

Mayor Halliday closed the public comment section at 8:10 p.m.

Council Member Lamnin asked if the intent was to send a copy of the resolution or a letter to Congressional and Senate representatives.

Mayor Halliday stated it would be appropriate to send the resolution to Congressional representatives.

Council Member Wahab moved the referral with Council Member Lamnin’s suggestion.





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Mayor Halliday seconded the item with the suggestion, pointed out one of the Whereas notes “restrictions, bans, and limitations to reproductive freedom disproportionately impact populations that already face barriers to accessing care, including communities of color, individuals with low income, immigrant communities, youth, and rural communities” and added that with Hayward’s emphasis on equity, the resolution was important to consider.

Council Member Wahab expressed appreciation for the local Planned Parenthood and noted the services are vital for abortion rights, reproductive justice, and support services.

It was moved by Council Member Wahab, seconded by Mayor Halliday, and carried by the following roll call vote, to approve the resolution and send a copy Congressional and Senate representatives.

AYES: COUNCIL MEMBERS Andrews, Lamnin, Márquez, Salinas,  
Wahab, Zermeno  
MAYOR Halliday

NOES: None

ABSENT: None

ABSTAIN: None

Resolution 21-208 “Resolution Declaring the City of Hayward a  
Supporter and Defender of Reproductive Freedom”

10. City Council Referral: Consider Adoption of a Resolution Urging the Alameda County Board of Supervisors to Support the Proposed Howard Terminal/Waterfront Ballpark District Enhanced Infrastructure Finance District (EIFD) (Report from Mayor Halliday)  
**RPT 21-122**

Referral submitted by Mayor Halliday dated October 19, 2021,  
was filed.

Mayor Halliday noted the construction of the a new Oakland A’s stadium is not a Hayward project but Oakland Mayor Libby Schaaf had asked mayors of Alameda County to consider the resolution urging the Alameda County Board of Supervisors to take action at its meeting of October 26, 2021 to opt-in to the proposed Waterfront Ballpark District Enhanced Infrastructure Finance District (EIFD) and encourage redevelopment of vacant and blighted properties, and added it would be an addition to the region and provide economic benefit.

Council Member Wahab noted the Council had received letters from two Alameda County Supervisors and Mayor Schaaf and asked City Manager McAdoo to summarize the information.

City Manager McAdoo noted a member of Mayor Schaaf's office, Ms. Veronica Cummings, was on the Zoom webinar and asked her to address key points from Mayor Schaff's letter.

Ms. Veronica Cummings noted Mayor Schaaf's letter outlines facts in response to false claims about the proposed project which will help materialize public benefits including affordable housing, open space, jobs and it benefits the entire county by not putting any general funds at risk.

City Manager McAdoo noted the City also received a copy of a letter addressed to President Carson from Supervisor Haubert and Supervisor Valle requesting that the Oakland A's Stadium item and non-binding resolution be brought forward as an action item on October 26, 2021.

In response to questions about how the project affects East Oakland, why the EIFD was needed given the magnitude of the project and anticipated revenue and any conversations about affordable commercial spaces to support lower income businesses in Oakland, Ms. Cummings indicated there were no concrete plans for the Coliseum site, the EIFD was needed to make the project economically feasible, and discussion of affordable commercial space was included as recommendations for community benefit.

Mayor Halliday opened public comment at 8:31 p.m.

The following individuals spoke against the proposed resolution indicating the proposed project will negatively impact the Port of Oakland and Hayward businesses as it will reduce productivity at the Port; it will spend public tax dollars on the A's private luxury development with no oversight; it will divert public resources to a private project; there is no direct benefit to Hayward; it will displace East Oakland residents with no relocation assistance; it involves a private investor asking for funding with no guarantee the team will stay; it will create congestion at the Port; the Oakland City Council has not taken a vote on the item; it will cause gentrification and lack of accessibility to disabled individuals; the Howard Terminal is not underutilized and functionally obsolete and Port operations need to be protected; and new residential buildings will not be affordable.

Ms. Andrea Luna Bocanegra, Oakland resident and Alameda County Central Democratic Central Committee member

Ms. Sheryl Walton

Mr. Aaron Wright, International Longshore and Warehouse Union (ILWU) Local 10

Mr. Didacus Ramos, Hayward resident

Ms. Cathy Leonard, Oakland resident and Commission member

Ms. Susan Ransom with SSA Marine Terminal

Ms. Linda Adams, ILWU member

Ms. Kelly Epstein

Mr. Austin Tam, Alameda County Democratic Central Committee member

Mr. Mike Jacob with Pacific Merchants Shipping Association

Ms. Melody Davis, West Oakland resident

Mr. Henok Gidey, West Oakland resident



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The following individuals spoke in support of the proposed resolution indicating the proposed project will ensure that union members continue to be employed and create new construction job opportunities at the Howard Terminal; it is not a threat to the Port and the infrastructure, grade crossing and street repairs will enhance the work at the Port; the Port is not having issues; it will help surrounding cities; bring new visitors and will create union jobs.

Ms. Liz Ortega-Toro, Alameda Labor Council Executive Secretary-Treasurer  
Mr. Doug Bloch, with Teamsters Joint Council Number 7 member  
Ms. Xitlali Sanchez, Unite Here member  
Mr. Tom Ferreira, Hayward resident

Mayor Halliday closed public comment at 8:53 p.m.

Mayor Halliday made a motion to approve the referral, stated the Council is not deciding on whether the proposed project moves forward but is adopting a resolution urging the Alameda County Board of Supervisors to support a project with the formation of an infrastructure financing district and believed the project would have economic benefits for Alameda County if it were built.

Council Member Zermeño seconded the motion and echoed Mayor Halliday's comment indicating the Council is not voting to support the project, only suggesting the Alameda County Board of Supervisors look into the EIFD to see if it is viable.

Council Member Lamnin supported the motion, noted the idea of a countywide public benefit could stimulate the economy and housing; added it was not a vote on the project; encouraged the City of Oakland to look closely at the community benefits; had concern about the profit the private developer will make with public land facilitated with EIFD; acknowledged traffic impacts at the Port; and noted projects get built through public-private partnerships and the job as stewards is to ensure they are as publicly beneficial as possible.

Council Member Andrews noted she did not get a firm answer as to what happens to East Oakland and what happened to the infrastructure improvements; was supportive of keeping the Oakland A's baseball team in Oakland but felt the item sets a precedent of Hayward having a say on what should happen in another community; and noted she would abstain from voting as she did not think it was appropriate to vote on an item that is not Hayward business.

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 Lamnin, Salinas, Wahab, Zermeno  
MAYOR Halliday

NOES: None

ABSENT: None

ABSTAIN: COUNCIL MEMBERS Andrews, Márquez

Resolution 21-209 "Resolution Urging the Alameda County Board of Supervisors to Support the Proposed Howard Terminal/Waterfront Ballpark District Enhanced Infrastructure Finance District (EIFD)"

## **ADJOURNMENT**

Mayor Halliday adjourned the meeting at 9:05 p.m.

## **APPROVED**

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Barbara Halliday  
Mayor, City of Hayward

## **ATTEST:**

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Miriam Lens  
City Clerk, City of Hayward