



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

## Action Minutes City Council

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**Tuesday, December 6, 2022**

**7:00 PM**

**Council Chamber and  
Virtual Platform (Zoom)**

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### CITY COUNCIL MEETING

#### **CALL TO ORDER: Mayor Halliday**

Six members present. Former Council Member Wahab resigned on December 4, 2022, in order to take the oath of office as the newly-elected State Senator for the 10th District.

#### **Pledge of Allegiance: Council Member Lamnin**

#### **ROLL CALL**

**Present:** 6 - Council Member Angela Andrews, Council Member Sara Lamnin, Council Member Elisa Marquez, Council Member Mark Salinas, Council Member Francisco Zermeno, and Mayor Barbara Halliday

#### **CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session at 5:30 p.m., with six members present and no public comments, regarding two items: 1) conference with legal counsel pursuant to Government Code sections 54956.9 regarding the case Smith, et al. v. City of Hayward, et al., U.S.D.C. N.D. Cal., Case No. C21-08467 YGR; and 2) conference with legal counsel pursuant to Government Code section 54956.9 regarding one anticipated case. City Attorney Lawson reported that the Council discussed both items and took no reportable action; and noted that former Council Member Wahab had resigned on December 4, 2022, in order to take the oath of office as the newly-elected State Senator for the 10th District, consequently the Council was reduced to six members.

#### **PRESENTATION**

Certificate of Commendation Presented to Senator Bob Wieckowski

**PUBLIC COMMENTS**

TJ  
Mr. Gabriel Altamirano  
Ms. Ellen Mayfield  
Ms. Deborah Reams  
Ms. Dustie  
Council Member Andrews

**CITY MANAGER'S COMMENTS**

City Manager McAdoo

**CONSENT**

## Approval of the Consent Calendar

A motion was made by Council Member Andrews, seconded by Council Member Marquez, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Council Member Andrews, Council Member Lamnin, Council Member Marquez, Council Member Salinas, Council Member Zermeno, and Mayor Halliday

1. [Approve the City Council Minutes of the City Council Meeting on November 1, 2022](#)

Consent item approved.

2. [Approve the City Council Minutes of the City Council Meeting on November 15, 2022](#)

Consent item approved.

3. [Adopt a Resolution Allowing the City Council and Appointed Commissions/Task Forces and Council Committees to Hold Continued Teleconferenced Public Meetings Pursuant to AB 361](#)

Consent item approved.

4. [Adopt a Resolution Accepting the Resignation of Ms. Gordean Lum-Villiados from the Keep Hayward Clean and Green Task Force, Effective Immediately](#)

Consent item approved.

5. [Adopt a Resolution Accepting the Resignation of Ms. Arti Garg from the Community Services Commission, Effective Immediately](#)

Consent item approved.

6. [Adopt a Resolution Accepting the Resignation of Mr. Zachariah Oquenda from the Planning Commission, Effective Immediately](#)

Consent item approved.

7. [Adopt a Resolution Appointing Ms. Arti Garg to the Planning Commission to Fill the Unexpired Term of Mr. Zachariah Oquenda](#)

Consent item approved.

8. [Adopt a Resolution Rescinding a Portion of the Previously Adopted Resolution 20-065, Regarding Approval of a Financing Model that Supports the Development of Middle-Income Affordable Housing and Authorization of the City Manager to Execute Purchase Option Agreements with the California Community Housing Agency](#)

Consent item approved.

9. [Adopt a Resolution Authorizing the City Manager to Amend the Professional Services Agreement with Brown and Caldwell to Increase the Contract Amount by \\$4,800,000 to a Total Not-to-Exceed Amount of \\$8,649,711 for Final Design Services for the Administration and Laboratory Building, and Primary Effluent Equalization Basin Relocation Projects, and Geotechnical Investigation Services for the Water Pollution Control Facility Improvements Phase II Project No. 07760](#)

Consent item approved.

10. [Adopt a Resolution Supporting East Bay Municipal Utility District's \(EBMUD\) Grant Funding Application for the Implementation of Management Actions and Projects in the City/EBMUD Jointly Prepared East Bay Plain Subbasin Groundwater Sustainability Plan](#)

Consent item approved.

11. [Adopt a Resolution Demonstrating Compliance with State Housing Laws per the Metropolitan Transportation Commission and One Bay Area Grant Funding Requirements](#)

Consent item approved.

12. [Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 2 to the Agreement with Workforce Integrity and Training Solutions, LLC for Labor Compliance Coordination Services in the Amount of \\$200,000 for a Total Not-To-Exceed Amount of \\$372,000 and for Extension of the Agreement to December 31, 2023](#)

Consent item approved.

13. [Adopt a Resolution Amending Resolution 22-087 to Apply as Joint Applicant with EAH, Inc for the California State Department of Housing and Community Development California Housing Accelerator Limited Accelerator Project Gap Funding Program](#)

Consent item approved.

14. [Adopt a Resolution Establishing the City Contribution for Active and Retiree Medical Premiums Set by the California Public Employee Retirement System \(CalPERS\) for Calendar Year 2023 Pursuant to California Government Code Section 22892 of the Public Employees' Medical and Hospital Care Act](#)

Consent item approved.

15. [Adopt a Resolution Authorizing the City Manager to Accept \\$8,558,902 in State Library Grant Funds for Construction of the Stack Center and to Execute Associated Grant Agreements](#)

Consent item approved.

16. [Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Lease Agreement with the Alameda County Deputy Sheriffs' Activities League to Expand the Commercial Kitchen at the Matt Jimenez Community Center and Operate the Commercial Kitchen Incubator Program](#)

Consent item approved.

17. [Adopt Resolutions Authorizing the City Manager to: \(1\) Accept and Appropriate Funds Awarded by the California State Legislature under Assembly Bill 179 in an Amount up to \\$5.4 Million for the City's Scattered Site Housing Program, and Negotiate and Execute Documents and Any Subsequent Amendments, Modifications, or Documents Thereto with the California State Department of Housing and Community Development; and \(2\) Negotiate and Execute Loan Documents between the City of Hayward and Bay Area Community Services in an Amount Not-to-Exceed \\$5.4 Million to Acquire and Rehabilitate a Minimum of Three Single-Family Homes for the City's Scattered Site Housing Program, for which the California Environmental Quality Act Does Not Apply](#)

Consent item approved.

18. [Adopt a Resolution Authorizing the City Manager to 1\) Negotiate and Execute an Agreement with Eden Health District \(EHD\) for the Award of \\$250,000 to the City for the Acquisition of the St. Regis Retirement Center; \(2\) Accept and Appropriate the Funds Awarded by EHD; and \(3\) Negotiate and Execute an Agreement for Transfer of the \\$250,000 in Funds from the City to Bay Area Community Services for Down Payment Assistance to Acquire the St. Regis Retirement Center](#)

A motion was made by Council Member Márquez, seconded by Council Member Zermeño, to approve staff's recommendation. The motion carried by the following vote:

Aye: 6 - Council Member Andrews, Council Member Lamnin, Council Member Marquez, Council Member Salinas, Council Member Zermeno, and Mayor Halliday

19. [Adopt a Resolution Accepting the Fiscal Year 2023 Statement of Investment Policy and Delegation of Authority](#)

Consent item approved.

20. [Adopt a Resolution Accepting Transmittal of the Annual Mitigation Fee Act Report \(AB1600\)](#)

Consent item approved.

21. [Adopt a Resolution Authorizing the City Manager to Execute a Letter of Intent with the Alameda County Fire Department to Negotiate the Terms of a Proposal for Ambulance Services and/or Emergency Medical Services in Alameda County](#)

Consent item approved.

**PUBLIC HEARING**

22. [Density Bonus Ordinance: Introduce an Ordinance Related to Text Amendments to Chapter 10 \(Planning, Zoning, and Subdivisions\) of the Hayward Municipal Code for the Adoption and Updates to the City's Density Bonus Ordinance and Adopt a Resolution Supporting the Proposed Zoning Text Amendments and Approving an Addendum to the Hayward 2040 General Plan Environmental Impact Report for the Administration of a New Density Bonus Program in the City of Hayward \(Report from Assistant City Manager/Development Services Director Ott\)](#)

A motion was made by Council Member Lamnin, seconded by Council Member Salinas, to approve staff's recommendation. The motion carried by the following vote:

Aye: 6 - Council Member Andrews, Council Member Lamnin, Council Member Marquez, Council Member Salinas, Council Member Zermeno, and Mayor Halliday

**INFORMATIONAL ITEM**

23. [Smoke-Free Multi-Family Housing: Proposed Timeline for Updated Regulations](#)

Information only; no action taken.

**COUNCIL REFERRALS**

24. [City Council Referral: Hayward Family Resource Center \(Report from Council Members Andrews and Wahab\)](#)

Council recommended that staff draft a letter for the newly elected Senator Wahab requesting to obtain additional funding for the Stack Center.

**ADJOURNMENT**

Mayor Halliday adjourned the Council meeting at 9:30 p.m.

**NEXT SPECIAL MEETING, December 13, 2022, 6:00 PM**

**INSTALLATION OF MAYOR-ELECT SALINAS AND**

**COUNCIL MEMBERS-ELECT JULIE ROCHE AND GEORGE SYROP**