



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

Action Minutes City Council

Tuesday, March 6, 2018

7:00 PM

Council Chambers

CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Council Member Lamnin

ROLL CALL

Present: 6 - Council Member Francisco Zermeno, Council Member Al Mendall, Council Member Marvin Peixoto, Council Member Sara Lamnin, Council Member Elisa Marquez, and Mayor Barbara Halliday

Absent: 1 - Council Member Mark Salinas

CLOSED SESSION ANNOUNCEMENT

Mayor Halliday announced the City Council convened in closed session pursuant to Government Code 54957 regarding the annual performance evaluations of the City Attorney and City Clerk; and noted there was no reportable action.

City Attorney Lawson announced the City Council also discussed three items: 1) conference with legal counsel pursuant to Government Code 54956.9 concerning Nelson v. City of Hayward, et al., Alameda County Superior Court, No. RG16822362; and 2) conference with legal counsel regarding James v. City of Hayward, et al., U.S. District Court, N.D.CA., No. C13-1092; 3) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups; and noted there was no reportable action related to Items 2) and 3). Regarding Item 1), Mr. Lawson noted that the City Council approved the recommendation to settle the case with Council Member Zermeno moving and Council Member Lamnin seconding the item and Council Member Salinas absent.

PRESENTATION

Certificate of Commendation: Beautiful Yard Contest

PUBLIC COMMENTS

Mr. Jim Drake
Ms. Wynn Grich

CONSENT

Approval of the Consent Calendar

A motion was made by Council Member Márquez, seconded by Council Member Mendall, to approve the Consent Calendar. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

Absent: 1 - Council Member Salinas

1. [Minutes of the City Council Meeting on February 20, 2018](#)

Consent Item approved.

2. [Resignation of Kingsley Macmadu from the Community Services Commission](#)

Consent Item approved.

3. [Filing Nuisance/Abatement/Municipal Code Liens with the County Recorder's Office for Non-Abatable Code Violations](#)

Consent Item approved.

LEGISLATIVE BUSINESS

4. [Introduction of Ordinance and Resolution for Taxation of Adult Use Cannabis \(Report from Finance Director Claussen\)](#)

A motion was made by Council Member Zermeno, seconded by Council Member Márquez, to approve staff's recommendation with an amendment to Section 8-21.00 of the ordinance by adding "education" to the Findings and Purpose; and a recommendation for a review of the 6% tax rate one year after the effective date of issuing a business permit. The motion carried by the following vote:

Aye: 5 - Council Member Zermeno, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

Nay: 1 - Council Member Mendall

Absent: 1 - Council Member Salinas

5. [Resolutions Authorizing the City Manager to Purchase Brilliant 100 Electricity from East Bay Community Energy \(EBCE\) for City Facilities and to Request that EBCE Set Brilliant 100 as the Default Product for all Hayward Customers Served by EBCE \(Report from Utilities and Environmental Services Director Ameri\)](#)

A motion was made by Council Member Mendall, seconded by Council Member Zermeno, to approve staff's recommendation including one amended resolution. The motion carried by the following vote:

Aye: 6 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

Absent: 1 - Council Member Salinas

PUBLIC HEARING

6. [Solar Photovoltaic Project - Phase II: Approval of the Mitigated Negative Declaration: Authorization for the City Manager to Negotiate and Execute a Design-Build Contract to Construct a Two-Megawatt Solar Energy System and Submit an Application to the California Energy Commission for Financing; and Appropriation of Additional Funds \(Report from Utilities and Environmental Services Director Ameri\)](#)

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 Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, and Mayor Halliday

Absent: 1 - Council Member Salinas

INFORMATION ITEM

7. [Informational Report on Tiny Homes](#)

Information only. The Council directed staff to bring the item back at a future Council meeting for discussion.

ADJOURNMENT

Mayor Halliday adjourned the meeting at 8:51 p.m., in memory of Retired Hayward Police Chief and Alameda County Sheriff Charles "Charlie" Plummer.

NEXT SPECIAL MEETING, March 13, 2018, 7:00 PM