



# CITY OF HAYWARD

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

## Action Minutes City Council

---

**Tuesday, June 26, 2018**

**7:00 PM**

**Council Chambers**

---

### CITY COUNCIL MEETING

#### **CALL TO ORDER Pledge of Allegiance: Council Member Salinas**

#### **ROLL CALL**

**Present:** 7 - Council Member Francisco Zermeno, Council Member Al Mendall, Council Member Marvin Peixoto, Council Member Sara Lamnin, Council Member Elisa Marquez, Mayor Barbara Halliday, and Council Member Mark Salinas

#### **CLOSED SESSION ANNOUNCEMENT**

City Attorney Lawson announced the City Council convened in closed session at 5:00 p.m., and unanimously voted to add two items to the closed session agenda pursuant to Government Code 54954.2 (b)(2) related to (1) public employment regarding the City Clerk's and City Attorney's annual performance evaluations; and (2) one anticipated litigation. City Attorney Lawson noted that the City Council also discussed three items on the agenda: (1) conference with property negotiators pursuant to Government Code 54956.8 regarding City owned properties and easements located at 22300 Foothill Boulevard; APNs: 415-0250-112-00, 415-0250-111-02, and 415-0250-113-00; and 22549 Foothill Boulevard; APN: 428-0061-044-00; (2) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups; and (3) public employment pursuant to Government Code 54957 regarding the City Manager's annual performance evaluation. City Attorney Lawson indicated there was no reportable action related to Items 1, 2, and the anticipated litigation. Mayor Halliday noted there was no reportable action related to the annual performance evaluations for City Manager, City Attorney and City Clerk.

#### **PRESENTATION**

Elder Abuse Awareness Month

**PUBLIC COMMENTS**

Ms. Peggy Guernsey  
Ms. Amanda Guernsey  
Mr. Jim Drake  
Ms. Lesly Avendano  
Mr. Don Koller  
Ms. Janice Keller  
Ms. Brenda Clark  
Mr. Bob Clark submitted a card but did not speak.  
Mr. Katie Harris  
Mr. Dale Silva  
Mr. Manuel Flores  
Mr. Kim Huggett  
Mr. Zachariah Oquenda

*Consent Item No. 6 was removed for a separate vote.*

**CONSENT**

## Approval of the Consent Calendar

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

**Aye:** 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

**1. [Minutes of the City Council Meeting on June 5, 2018](#)**

**Consent item approved.**

**2. [General Municipal Election - November 6, 2018](#)**

**Consent item approved.**

**3. [Adoption of an Ordinance Amending Chapter 10, Article 1 \(Zoning Ordinance\) of the Hayward Municipal Code by Rezoning Certain Property to Planned Development District in Connection with Zone Change and Vesting Tentative Map Application No. 201806285 to Accommodate 18-Single Family Dwellings at 25941 Gading Road](#)**

**Consent item approved.**

**4. [Adoption of an Ordinance Amending Chapter 10, Article 1 \(Zoning Ordinance\) of the Hayward Municipal Code Rezoning Certain Property to Planned Development District in Connection with Zone Change and Vesting Tentative Map Application No. 201605551 at 24765 Hesperian Boulevard](#)**

**Consent item approved.**

5. [Authorization to Execute a Professional Services Agreement for Investment Portfolio Management Services with PFM Asset Management LLC](#)

Consent item approved.

6. [Approval of Final Map Tract 8244 \(Overlook Terrace\), Associated with the Previously Approved Vesting Tentative Tract Map and Proposed Development of Six \(6\) Single-Family Homes on a 0.91-Acre Site Located at the North-East Corner of Carlos Bee Boulevard and Overlook Avenue; Sunny Aujla \(Applicant/Owner\)](#)

A motion was made by Council Member Salinas, 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 Council Member Salinas

Recused: 1 - Mayor Halliday

7. [Hayward High-Speed Fiber Optic Network Installation Project - Award of Engineering Services Contract to Kimley-Horn & Associates, Inc.](#)

Consent item approved.

8. [Innovative Deployments to Enhance Arterials \(IDEA\) Grant: Funding Agreements between Metropolitan Transportation Commission \(MTC\) and the City of Hayward](#)

Consent item approved.

9. [Adoption of a Resolution Approving Two Side Letter Agreements between the City of Hayward and the Hayward Firefighters, Local 1909 and the Hayward Fire Officers Association, in which the City will make Annual Contributions to the Accounts of Employees Participating in the Voluntary Employee Beneficiary Association \(VEBA\) Plan](#)

Consent item approved.

10. [Resolution Approving the Memoranda of Understanding between the City of Hayward and the Service Employees International Union Local 1021 Maintenance, Clerical and Related Bargaining Units and Authorizing Staff to Execute the Agreements](#)

Consent item approved.

## PUBLIC HEARING

11. [Adopt Resolutions to Approve the Engineer's Report, Reconfirm Base Maximum Assessment Amount, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Special Revenue Funds for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 16, for Fiscal Year 2019 \(Report from Maintenance Services Director Rullman\)](#)

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:** 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

**12. [Adopt Resolutions to Approve the Engineer's Report, Reconfirm Base Maximum Assessment Amount, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Special Revenue Funds for Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane - for Fiscal Year 2019 \(Report from Maintenance Services Director Rullman\)](#)**

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

**Aye:** 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

**13. [Adopt Resolutions to Approve the Engineer's Report, Reconfirm Base Maximum Assessment Amount, Confirm the Assessment Diagram and Fiscal Assessment, Order the Levy and Collection of Fiscal Assessments, and Approve Funding Recommendations and Appropriate Special Revenue Funds for Maintenance District No. 2 - Eden Shores Storm Water Buffer and Facilities, for Fiscal Year 2019 \(Report from Maintenance Services Director Rullman\)](#)**

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

**Aye:** 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

**14. [Public TEFRA Hearing as Required by the Internal Revenue Code of 1986, and Adoption of a Resolution Approving the Issuance by California Statewide Communities Development Authority of Tax-Exempt Bonds to Finance the Acquisition, Construction and Development of Maple & Main \(Report from Director of Finance Claussen\)](#)**

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

**Aye:** 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

## **LEGISLATIVE BUSINESS**

**15. [Approval of Commercial Cannabis Permits for Cannabis Cultivation, Manufacturing, Distribution, Delivery, and Microbusinesses \(Report from City Manager McAdoo\)](#)**

**A motion was made by Council Member Márquez, seconded by Council Member Mendall, 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

**Nay:** 1 - Council Member Salinas

**16. [Adoption of Resolution Approving an Amendment to the City of Hayward Salary Plan for Fiscal Year 2019 \(Report from Director of Human Resources Collins\)](#)**

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

**Aye:** 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

**17. [Adoption of Resolution Amending the Salary and Benefits Resolution for Unrepresented Executives, Management Employees, and Employees of the Office of the City Manager, Human Resources, and City Attorney \(Report from Human Resources Director Collins\)](#)**

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

**Aye:** 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

**18. [Adoption of Resolutions Approving Extensions and Modifications to Employment Agreements with the City Attorney and City Clerk and Authorizing the Mayor to Execute Those Agreements on Behalf of the Council \(Report from Mayor Halliday and Director of Human Resources Collins\)](#)**

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

**Aye:** 7 - Council Member Zermeno, Council Member Mendall, Council Member Peixoto, Council Member Lamnin, Council Member Marquez, Mayor Halliday, and Council Member Salinas

**INFORMATION ITEMS**

**19. [Informational Report Extending the Term of Mayor Pro Tempore](#)**

**Information only.**

**ADJOURNMENT**

**NEXT MEETING, July 3, 2018, 7:00 PM**