



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, November 27, 2018

7:00 PM

Council Chambers

CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Council Member Peixoto

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

Senior Assistant City Attorney Vigilia announced the City Council convened in closed session at 5:00 p.m., concerning five items as reflected on the revised agenda: 1) conference with legal counsel pursuant to Government Code 54956.9, regarding SEIU 1021 v. City of Hayward Case Nos SF-CE-1075-M, S-CE 1117-M, SF-CE-1118-M, SF-CE-1174-M, SF-CE-1186M; and SF-CE-1191-M City of Hayward v. SEIU 1021 Case Nos SF-C0-320-M, SF-C0-321-M; 2) conference with property negotiators pursuant to Government Code 54956.8 regarding State owned parcels along Route 238 Bypass Alignment; 3) conference with labor negotiators pursuant to Government Code 54957.6, regarding all groups; 4) public employment pursuant to Government Code 54957(b) (1) regarding the City Manager's employment agreement; and 5) conference with legal counsel pursuant to Government Code 54956.9, regarding one anticipated litigation case; and noted there was no reportable action on Items 2, 3, and 5. Senior Assistant City Attorney Vigilia added that pursuant to Government Code 54954.2(b), the Council unanimously approved to add a second case to Item 5 for which there was no reportable action. As of Item 1, Senior Assistant City Attorney Vigilia noted the Council moved unanimously to approve settlement of the litigation with a motion made by Council Member Zermeno and seconded by Council Member Márquez. Mayor Halliday indicated there was no reportable action related to Item 4.

PRESENTATION

Resolution Recognizing Sikh American Awareness and Appreciation Month

PUBLIC COMMENTS

Ms. Davida Scott
Mr. Kim Huggett
Mr. Charlie Peters

CONSENT

Consent Items 3, 6 and 7 were removed from the Consent Calendar for discussion and separate vote.

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

1. [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. 201704262 to Accommodate Eight Townhomes at 420 Smalley Avenue](#)

Consent item approved.

2. [Adoption of a Resolution Approving an Amended Side Letter Agreement between the City of Hayward and the Unrepresented Executives, Management, City Manager, Human Resources and City Attorney Employees to Revise Current Contributions to the Voluntary Employee Beneficiary Association \(VEBA\) Plan](#)

Consent item approved.

3. [Authorization for the City Manager to Negotiate and Execute an Exclusive Negotiating Agreement with Red Bridge Partners for the Purchase of Three Parcels Located at the Northeast Corner of C and Main Streets for a Mixed-Use Housing and Commercial Project. This Action Is Exempt from CEQA Pursuant to Section 15332- In-Fill Development Projects](#)

A motion was made by Council Member Mendall, seconded by Council Member Zermeno, 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, Mayor Halliday, and Council Member Salinas

Recused: 1 - Council Member Marquez

4. [Adoption of a Resolution Establishing the City Contribution for Active and Retiree Medical Premiums Set by the California Public Employee Retirement System \(CalPERS\) for Calendar Year 2019 pursuant to California Government Code Section 22892 of the Public Employees Medical and Hospital Care Act](#)

Consent item approved.

5. [Authorization for the City Manager to Submit a Sustainable Communities Grant application to the California Department of Transportation \(Caltrans\) Division of Transportation Planning in the amount of \\$354,120](#)

Consent item approved.

6. [Authorization to Negotiate and Execute a Design-build Contract with Engie Services U.S. Inc. to Build the First Phase of the Two-Megawatt Solar Photovoltaic Energy System to be Installed at the Water Pollution Control Facility \(WPCF\)](#)

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

7. [Approval of Final Map Tract 8447 \(SoHay\). Associated with the Previously Approved Tentative Map for Tract 8428 and Proposed Development of 126 Residential Condominium Units and a Public Trail on a 10.91-acre site Located at 29629 Dixon Street; William Lyon Homes, Inc. \(Applicant/Owner\)](#)

A motion was made by Council Member Mendall, seconded by Council Member Zermeño, to approve staff's revised 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

8. [Adoption of a Resolution Approving an Extension and Modification to Employment Agreement with the City Manager and Authorizing the Mayor to Execute the Agreement \(Report from Director of Human Resources Collins\)](#)

A motion was made by Council Member Zermeño, 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

ADJOURNMENT

Mayor Halliday adjourned the meeting at 8:45 p.m.

NEXT MEETING, December 4, 2018, 7:00 PM