



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, March 26, 2019

7:00 PM

Council Chambers

CITY COUNCIL MEETING

CALL TO ORDER Pledge of Allegiance: Council Member Salinas

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson reported the City Council convened in closed session at 5:30 p.m., concerning three items: 1) public employment pursuant to Government Code 54957 regarding the City Clerk's annual performance evaluation; 2) conference with legal counsel pursuant to Government Code 54956.9 regarding AGG, et al. v. City of Hayward, et al. U.S. District Court, ND CA, No. #4: 4:19-civ-00697-DMR; and 3) conference with legal counsel pursuant to Government Code 54956.9 regarding one anticipated litigation case. Mayor Halliday noted there was no reportable action related to item 1. City Attorney Lawson noted there was no reportable action related to Items 2 and 3.

PUBLIC COMMENTS

Mayor Halliday
Council Member Márquez
Ms. Rowena Dupre
Mr. Jim Drake
Mr. Kim Huggett
Mr. Carlos Archuleta
Ms. Wynn Grcich
Ms. Lisa Brunner
Ms. Hedy Rodriguez
Ms. Araceli Orozco
Mr. Jesus Reynoso

Consent Items 3 and 4 were removed from the Consent Calendar for separate vote.

Council Member Márquez disclosed she should have recused from voting on Consent Items 3 and 4 during the introduction of the ordinances due to the proximity of her family business to the proposed zoning amendment but inadvertently did not do so and was advised there was no need to take corrective action. She added that she would be recusing herself from participating and voting on Consent Items 3 and 4.

Council Member Salinas disclosed he was going to recuse himself from voting and participating on Items 3 and 4, due to the proximity of his residence to the proposed zoning amendment.

CONSENT

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

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

1. [Minutes of the City Council Meeting on February 26, 2019](#)

Consent item approved.

2. [Minutes of the City Council Meeting on March 5, 2019](#)

Consent item approved.

3. [Adoption of an Ordinance of the Council of the City of Hayward Amending the Hayward Municipal Code, Chapter 10, Article 1 \(Zoning Ordinance\), Section 10-1.3603\(b\) Related to a Proposed Modification of the Required Setbacks for Commercial Cannabis Businesses from Certain Sensitive Land Uses](#)

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: 5 - Council Member Zermeno, Council Member Mendall, Council Member Lamnin, Council Member Wahab, and Mayor Halliday
Recused: 2 - Council Member Marquez, Council Member Salinas

4. [Adoption of an Ordinance of the Council of the City of Hayward Amending the Hayward Municipal Code, Chapter 10, Article 1 \(Zoning Ordinance\), Section 10-1.3607\(c\) \(1\) Related to Reduction of Overconcentration Buffer from 1,000 Feet to 500 Feet for Commercial Cannabis Retail Dispensaries](#)

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

Aye: 4 - Council Member Zermeño, Council Member Mendall, Council Member Lamnin, and Council Member Wahab
Noes: 1 - Mayor Halliday
Recused: 2 - Council Member Marquez, Council Member Salinas

5. [Resolution to Initiate the Formation and Annexation of the SoHay Properties to Benefit Zone No. 18 of the Consolidated Landscaping and Lighting District 96-1](#)

Consent item approved.

6. [Approval of Final Maps for Tracts 8445 and 8446 \(SoHay\), Associated with the Previously Approved Vesting Tentative Map for Tract 8428; William Lyon Homes, Inc. \(Applicant/Owner\)](#)

Consent item approved.

7. [La Vista Park Project: Award of Professional Services Agreement to SurfaceDesign, Inc., \(SDI\); Award of Professional Services Agreement to Langan; Appropriation of Funds; and Amendment of Resolution 18-081](#)

Consent item approved.

8. [On-Call Public Works Construction Inspection Services - Authorization for the City Manager to Execute Professional Service Agreements with Park Engineering, CSG Consultants, and Willdan Engineering](#)

Consent item approved.

9. [Adoption of a Resolution Approving Annexation of the Ersted Property \(Tract 8439\) into the Hayward GHAD](#)

Consent item approved.

WORK SESSION

10. [Seismic Retrofit Standards for Multifamily Buildings Work Session \(Report from Development Services Director Simpson\)](#)

Information only.

LEGISLATIVE BUSINESS**11. [Adoption of Emergency Ordinance Amending Just Cause for Tenant Evictions to Exempt Affordable Housing Conversion Projects \(Report from City Manager McAdoo\)](#)**

A motion was made by Council Member Salinas, seconded by Council Member Zermeño, to approve staff's recommendation directing staff to work with the applicant (Reliant) and displaced tenants to craft a relocation program using available affordable housing in-lieu fees, that would serve residents up to 120% of area medium income (AMI) level; the motion included a modification to the last "Whereas" in the Ordinance that changed the word "citizens" with "residents". The motion carried by the following vote:

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

PUBLIC HEARING**12. [FY 2020 Master Fee Schedule/Fine and Bail Schedule \(Report from Director of Finance Claussen\)](#)**

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

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

ADJOURNMENT

Mayor Halliday adjourned the meeting at 10:10 p.m.

NEXT MEETING, April 2, 2019, 7:00 PM