



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, December 1, 2020

7:00 PM

Remote Participation

CITY COUNCIL MEETING

CALL TO ORDER: Mayor Halliday

Pledge of Allegiance: Council Member Lamnin

ROLL CALL

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

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 5:30 p.m. regarding a conference with property negotiators pursuant to Government Code 54956.8 regarding Master Lease Renewal- Hayward Area Recreation and Park District; 28846 Bay Heights Rd, N Third St at Crescent Ave, 27020 Fielding Dr, 19501 Hesperian Blvd, 26780 Chiplay Ave, 22325 N 3rd St, 30504 Vanderbilt St, 27182 Patrick Ave, 275 Industrial Parkway West, Farm Hill Dr and Daisy Ct, N 3rd St and Crescent Ave, Colette St & Luvena Dr, Ward Creek Canyon, Eden Ave & Middle Ln, 27600 Decatur Way, Dickens Ave and Folsom Ave, 25610 Spring Dr, Stratford Rd & Canterbury Ln, Hamrick Ln and Rieger Ave, E 10th and Jefferson St, 301 Arrowhead Way, Santa Clara St and Winton Ave, 275 Goodwin St, 2580 Eden Park Pl, Tahoe Ave and Morningside Dr, 22798 Ross Pl, Panjon St and Huntwood Ave, 24176 Mission Blvd, Leonardo Way and Reed Way, 2841 Seahaven Ct, 22737 Main St, Bush Ln, 25625 Cypress Ave. City Attorney Lawson announced there was no reportable action related to the item.

PUBLIC COMMENTS

Council Member Wahab
City Manager McAdoo

CONSENT

Consent items 2, 3, and 6 were removed from Consent Calendar for separate discussion.

Approval of the Consent Calendar

A motion was made by Council Member Lamnin, seconded by Council Member Márquez, 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. [Approve City Council Minutes of the Special City Council Meeting on November 10, 2020](#)

Consent item approved.

2. [Adopt a Resolution Authorizing the City Manager to Purchase an Unmanned Aerial System \(UAS\) and Adopt a UAS Program for the Hayward Police Department](#)

Item continued to January to allow the Police Community Advisory Panel to hold a meeting and review the item and associated policies.

3. [Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Axon Enterprise, Inc. for Renewal of the Body Worn Camera Program in an Amount Not to Exceed \\$191,000 Per Year](#)

A motion was made by Council Member Wahab, seconded by Council Member Mendall, 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

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

Consent item approved.

5. [Adopt a Resolution Reappointing Council Member Márquez as the City of Hayward Representative to the Alameda County Mosquito Abatement District Board of Trustees for a Four-Year Term Ending December 31, 2024](#)

Consent item approved.

6. [Adopt Three Resolutions: 1\) Amending the FY 2021 CIP Budget to Transfer and Appropriate Funds to Project Number 07267, Online Permitting, in the Amount of \\$347,138 to Increase the Total Project Budget Amount Not to Exceed \\$1,161,870 for the Purchase of Energov Online Permitting Solution and Other Related Project Management Services; 2\) Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with Tyler Technologies, Inc.; and 3\) Authorizing the City Manager to Negotiate and Execute an Amendment to the Agreement with SoftResources LLC](#)

A motion was made by Council Member Wahab, seconded by Council Member Lamnin, 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

7. [Adopt a Resolution Designating Council Member Márquez as the City's Representative and Council Member Wahab as the Alternate to the Board of Directors for East Bay Community Energy](#)

Consent item approved.

Council Member Márquez disclosed her family owns property in close proximity to the proposed commercial cannabis retail dispensary and needed to recuse herself from discussing and voting on the item. Council Member Márquez exited the Zoom meeting at 7:23 p.m.

PUBLIC HEARING

8. [Commercial Cannabis Retail Dispensary: Adopt a Resolution Approving a Conditional Use Permit for a Proposed Commercial Cannabis Retail Dispensary with Ancillary Retail Delivery within an Existing Commercial Building located at 22701 Foothill Boulevard and 1055 C Street \(Assessor Parcel Nos. 428-0066-058-01 and 428-0066-056-00\), Application No. 201906312. Rajiv Pottabathni, Jiva Life LLC \(Applicant\); Ryan Bridge LLC \(Property Owner\) \(Report from Development Services Director Simpson\) \(Continued from November 17, 2020\)](#)

A motion was made by Council Member Zermeno, seconded by Council Member Mendall, to approve staff's recommendation with two additional conditions of approval for the applicant to: 1) incorporate an outdoor public art component; and 2) submit a Graffiti Prevention Plan. The motion carried by the following vote:

Aye: 5 - Council Member Zermeno, Council Member Mendall, Council Member Lamnin, Council Member Wahab, and Mayor Halliday
Nay: 1 - Council Member Salinas
Absent: 1 - Council Member Marquez

Council Member Márquez rejoined the Zoom meeting at 8:52 p.m.

LEGISLATIVE BUSINESS

9. [City Attorney Employment Agreement: Adopt a Resolution Approving the Amendment to the Employment Agreement Between the City of Hayward and the City Attorney and Authorizing the Mayor to Execute the Agreement \(Report from Assistant City Manager Hurtado\)](#)

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 Marquez, Council Member Mendall, Council Member Lamnin, Council Member Wahab, Council Member Salinas, and Mayor Halliday

10. [City Clerk Employment Agreement: Adopt a Resolution Approving the Amendment to the Employment Agreement Between the City of Hayward and the City Clerk and Authorizing the Mayor to Execute the Agreement \(Report from Assistant City Manager Hurtado\)](#)

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

11. [FY 2021 Salary Plan Amendment: Adopt a Resolution Amending the City of Hayward Salary Plan for Fiscal Year 2021 \(Report from Assistant City Manager Hurtado\)](#)

A motion was made by Council Member Wahab, 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 10:06 p.m. in memory of former Hayward Mayor Ilene Weinreb.

NEXT SPECIAL MEETING, December 8, 2020, 7:00 PM