



CITY OF HAYWARD

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

Action Minutes City Council

Tuesday, July 6, 2021

7:00 PM

Remote Participation

CITY COUNCIL MEETING

CALL TO ORDER: Mayor Halliday

Pledge of Allegiance: Council Member Zermeño

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

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

The City Council convened in closed session at 5:45 p.m., on July 6, 2021, with all members present regarding two items: 1) the annual performance of the City Attorney pursuant to Government Code section 54957; and 2) conference with property negotiators pursuant to Government Code section 54956.8 regarding purchase option agreement with California Community Housing Agency, 28850 Dixon Street, APN 078C-0801-001-00. City Attorney Lawson indicated the Council discussed Item 2, with Council Member Márquez recusing herself because she is temporarily residing in the property, and took no reportable action. Mayor Halliday noted there was no reportable action related to Item 1.

PUBLIC COMMENTS

Ms. Susan Gehlke
Ms. TJ with Hayward Concerned Citizens
Ms. Heather Reyes
Ms. Suzanne with Hayward Concerned Citizens

Approval of the Consent Calendar

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

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

CONSENT

1. [Adopt a Resolution Confirming Report and Assessment for Community Preservation Fees Past Due](#)

Consent item approved.

2. [Adopt a Resolution Accepting and Confirming Report Regarding Past Due Residential Rental Inspection Program Fees and Authorizing Collection of Past Due Charges on Tax Roll](#)

Consent item approved.

3. [Adopt a Resolution Authorizing the City Manager to Execute a Service Agreement with the Fairview Fire Protection District](#)

Consent item approved.

4. [Adopt a Resolution Approving Amendment No. 6 to the Professional Services Agreement with CSG Consultants, Inc., for Private Development Review Services in the Amount of \\$370,000 for a total Not-To-Exceed amount of \\$1,570,000, and Extending the Date of the Agreement to June 30, 2022](#)

Consent item approved.

5. [Adopt a Resolution Awarding a Construction Contract to Kerex Engineering, Inc., for the FY22 Median Landscape Improvement Project, Project No. 05315 in the Amount of \\$645,235 and Authorizing a Construction Contingency Change Order Budget of \\$154,765](#)

Consent item approved.

6. [Adopt a Resolution Confirming the Report and Assessment for Delinquent Garbage Bills Incurred by Property Owners of Single-Family Residences](#)

Consent item approved.

PUBLIC HEARING

7. [Commercial Cannabis Program: Introduce Two Ordinances Related to Text Amendments to Chapter 6, Article 14 \(Commercial Cannabis Businesses\) and Chapter 10 \(Planning, Zoning, and Subdivisions\) of the Hayward Municipal Code for the Regulation of Personal and Commercial Cannabis \(Application No. 202102446\) and Adopt Two Resolutions Supporting the Proposed Text Amendments and Approving a Revision to the 2022 Master Fee Schedule for Administration and Enforcement of the Commercial Cannabis Program in the City of Hayward \(Report from Assistant City Manager/Development Services Director Ott\)](#)

A motion was made by Council Member Wahab, seconded by Council Member Zermeño, to approve staff's recommendation with five friendly amendments: 1) increase the buffer from schools to 1,000 foot; 2) add the two Planning Commission recommendations to Chapter 6 (Business, Trades and Professional) and Chapter 10 (Planning, Zoning and Subdivision) regarding the regulation of commercial cannabis business; 3) set the maximum limitation applied to business to consumer retail storefronts to a maximum square footage of 1,000 square feet or up to 10% of the first 10,000 square foot, whichever is less; 4) add Adopt a Block; and 5) add public art as an option for the Community Benefit plan. The motion carried by the following vote:

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

LEGISLATIVE BUSINESS

8. [Default Electricity Product Selection: Adopt a Resolution Selecting a Default Electricity Product from East Bay Community Energy \(Report from Public Works Director Ameri\)](#)

A motion was made by Council Member Zermeño, seconded by Council Member Wahab, to approve Option 1 (Resolution Selecting Renewable 100 as the Default Product for Hayward Customers Served by East Bay Community Energy). The motion carried by the following vote:

Aye: 6 - Council Member Andrews, Council Member Lamnin, Council Member Salinas, Council Member Wahab, Council Member Zermeno, and Mayor Halliday

Nay: 1 - Council Member Marquez

9. [City Council Handbook Modifications: Adopt a Resolution to Implement Modifications and Edits to the City Council Handbook \(Report from City Manager McAdoo, City Attorney Lawson, and City Clerk Lens\)](#)

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

Aye: 6 - Council Member Andrews, Council Member Lamnin, Council Member Marquez, Council Member Salinas, Council Member Zermeno, and Mayor Halliday

Nay: 1 - Council Member Wahab

ADJOURNMENT

Mayor Halliday adjourned the meeting at 11:36 p.m., in honor and memory of Judge John Sutter.

NEXT SPECIAL MEETING, JULY 13, 2021 7:00 PM