



# CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

## Action Minutes City Council

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**Tuesday, January 25, 2022**

**7:00 PM**

**Virtual: Zoom Platform**

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### CITY COUNCIL MEETING

**CALL TO ORDER: Mayor Halliday**

**Pledge of Allegiance: Council Member Lamnin**

#### ROLL CALL

**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

**CLOSED SESSION ANNOUNCEMENT**

The City Council convened in closed session on December 20, 2021, at 4:30 p.m., with all members present, regarding one conference with labor negotiators pursuant to Government Code section 54957.6 regarding all labor groups. City Attorney Lawson reported there was no reportable action and adjourned the closed session at 6:45 p.m.

The City Council convened in closed session on January 18, 2022, at 5:30 p.m., with all members present, regarding five items: (1) conference with legal counsel pursuant to Government Code section 54956.9 regarding Justin Nishioka v. City of Hayward, Alameda County Superior Court, Case No. RG 20078266; (2) conference with legal counsel pursuant to Government Code section 54956.9 regarding Sharma, et al. v. City of Hayward, Alameda County Superior Court, Case No. HG20064943; (3) conference with legal counsel pursuant to Government Code section 54956.9 regarding one anticipated litigation case; (4) conference with property negotiators pursuant to Government Code section 54956.8 regarding Cargil Salt, 7220 Central Avenue, Newark, CA 94560, APN: 537-751-7-1; and (5) conference with property negotiators pursuant to Government Code 54956.8 regarding Caltrans Parcel Group 5 Maitland Drive, Bunker Hill Court, Bunker Hill Boulevard and Central Boulevard, APNs: 445-0250-041-01, 445-0260-084-03, 445-0260-018-04, 445-0270-054-02, 445-0250-060-00, 445-0250-059-01, 445-0260-109-04, 445-0260-018-03, 445-0260-109-03, 445-0260-002-00. City Attorney Lawson reported that he recused himself from participating on Item 1 and indicated there was no reportable action related to Items 1, 2 and 3. It was noted the Council adjourned the closed session at 6:50 p.m. and reconvened after the regular meeting agenda at 8:05 p.m. Regarding Items 4 and 5, the Council took no reportable action. The closed session adjourned at 9:10 p.m.

The City Council convened in closed session on January 25, 2022, at 5:30 p.m., with all members present, regarding six items: 1) public employment pursuant to Government Code section 54957 regarding performance evaluation for City Manager, City Attorney, and City Clerk; 2) conference with legal counsel pursuant to Government Code section 54956.9 regarding Woods v. City of Hayward, et al., U.S.D.C.N.D.CA, No. 3:19-cv-01350-JCS; 3) conference with legal counsel pursuant to Government Code section 54956.9(d)(4) regarding one anticipated litigation case; 4) conference with property negotiators pursuant to Government Code section 54956.8 regarding: Caltrans Parcel Group 4 (APNs: 078C-648-01-01, 078C-0800-029, 078C-0800-030, 078C-0800-031, 078C-0800-032, 078C-0800-033, 078C-0800-034, 078C-0800-035, 078C-0800-036, 078C-0800-037, 078C-0800-038, 078C-0800-039, 078C-0800-040, 078C-0800-041, 078C-0800-042, 078C-0800-043), Caltrans Parcel Group 5 (Maitland Drive, Bunker Hill Court, Bunker Hill Boulevard and Central Boulevard, APNs: 445-0250-041-01, 445-0260-084-03, 445-0260-018-04, 445-0270-054-02, 445-0250-060-00, 445-0250-059-01, 445-0260-109-04, 445-0260-018-03, 445-0260-109-03, 445-0260-002-000), Caltrans Parcel Group 8 (Grove Way; APNs: 415-0180-070-00, 415-0180-068-01, 415-0180-076-00, 415-0180-084-01, 415-0180-073-00, 415-0180-074-00, 415-0180-075-00, 415-0180-072-00, 415-0180-071-00, 415-0180-069-01, 415-0190-064-00, 415-0180-083-01, 415-0180-080-00, 415-0180-082-01, 415-0180-081-01), Caltrans Parcel Group 9 (Apple and Oak Streets, APNs: 415-0160-001-00, 415-0160-002-00, 415-0160-003-00, 415-0160-004-00, 415-0160-005-00, 415-0160-006-00, 415-0160-007-00, 415-0160-008-00,

415-0160-009-00, 415-0160-010-00, 415-0170-002-00, 415-0170-003-00, 415-0170-004-00, 415-0170-005-00, 415-0170-006-00, 415-0170-007-00, 415-0170-008-00, 415-0170-009-00, 415-0170-010-00, 415-0170-011-00, 415-0170-012-00); (5) conference with property negotiators pursuant to Government Code section 54956.8 regarding Caltrans Parcel Group 3 (Adjacent to Tennyson Road, East 16th Street and Calhoun Street; APNs: 078C-0626-003-16, 078C-0626-003-09, 078C-0626-001-07); and (6) conference with property negotiators pursuant to Government Code section 54956.8 regarding Caltrans Parcel Group 6 (Carlos Bee Boulevard and Overlook Avenue, APN 455-0180-001-00). Mayor Halliday reported on Item 1 indicating the City Manager, City Attorney and City Clerk recused themselves and there was no reportable action. Regarding Item 2, City Attorney Lawson reported that Council was advised that settlement was tentatively reached in the amount of \$90,000. As to Item 3, there was no reportable action. Regarding Items 4, 5, and 6, City Attorney Lawson reported they were discussed in a single session after a legal analysis showed that no single member of the Council had a conflict distinguishable from the public and took no reportable action. The closed session adjourned at 6:51 p.m.

## PUBLIC COMMENTS

There were none.

## CITY MANAGER'S COMMENTS

## CONSENT

### Approval of the Consent Calendar

**A motion was made by Council Member Wahab, seconded by Council Member Márquez, to approve the Consent Calendar. 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

1. [Adopt a Resolution Authorizing the City Manager to Negotiate and Execute Professional Services Agreements with Willdan Engineering, SNG & Associates, and 4Leaf, Inc., in an Amount Not-to-Exceed \\$150,000 Annually Per Firm for Three Years for On-Call Construction Inspection Services](#)

Consent item approved.

2. [Adopt a Resolution Approving Plans and Specifications and Calling for Bids for the FY22 New Sidewalks Project, Project No. 05305](#)

Consent item approved.

3. [Adopt a Resolution Authorizing the City Manager to Amend the FY2022 Operating Budget for the Development Services Department Building Division for Outside Plan Check, Building Inspection, and Permit Technician Services](#)

Consent item approved.

4. [Adopt a Resolution Appointing the City's Representative to the Boards of Directors of the Bay Area Water Supply and Conservation Agency and the San Francisco Bay Area Regional Water System Financing Authority](#)

Consent item approved.

5. [Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Mintier Harnish in an Amount Not to Exceed \\$235,000 for the Development and Adoption of Objective Standards for Residential Development and Zoning Consistency Updates for the City of Hayward and Related Environmental Analysis](#)

Consent item approved.

6. [Adopt a Resolution Accepting \\$1 Million in State of California General Fund Grant Funds for the Construction of the South Hayward Youth and Family Center \(Stack Center\)](#)

Consent item approved.

7. [Adopt a Resolution Authorizing the City Manager to Accept and Appropriate \\$20,000 in Grant Funding from the National Endowment for the Arts for Heritage Plaza Art Pieces](#)

Consent item approved.

8. [Adopt a Resolution Authorizing the Public Works Director to Complete Construction of Subdivision Improvements in Tract 8058 of the Golden Oaks 2 Subdivision; Making Findings to Procure the Work in the Open Market; and Authorizing Expenditure of City Funds in an Amount Not to Exceed \\$630,000](#)

Consent item approved.

## LEGISLATIVE BUSINESS

9. [Unmanned Aerial Systems Program: Adopt a Resolution and Policy Statement Regarding the Use of Surveillance Technologies and an Operational Policy for the Hayward Police Department's Unmanned Aerial Systems Program \(Report from City Manager McAdoo and Police Chief Chaplin\)](#)

A motion was made by Council Member Zermeno, seconded by Mayor Halliday, to approve staff's recommendation with three amendments, 1) Community Advisory Panel (CAP) reviews quarterly reports and policy amendments and report includes geographical information on Unmanned Aerial Surveillance Systems (UAS) deployment; 2) Program Coordinator, upon being appointed, meets with CAP to hear concerns; 3) in three months, Council reviews updated Policy 610 including citywide policy statement, transition to gender neutral language, retention of UAS data and collaboration among departments that utilize UASs. 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

10. [Homekey 2.0 Application: Adopt a Resolution Approving the City of Hayward's Homekey Projects and Authorizing the City Manager and Assigned Staff to Submit Applications to the State of California Department of Housing Community Development for Homekey Funds for Housing for Persons Experiencing Homelessness \(Report from Assistant City Manager Ott\)](#)

A motion was made by Council Member Salinas, seconded by Council Member Lamnin, to approve staff's recommendation. 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

#### **INFORMATIONAL ITEM**

11. [Informational Item Regarding Marin Municipal Water District's Proposal to Transmit Purchased Water Through the City's Transmission Mains and the Regional Water System Intertie as a Drought Relief Measure](#)

No action; information only.

#### **ADJOURNMENT**

Mayor Halliday adjourned the meeting at 10:58 p.m., in memory of Marilyn Baker-Madsen, Gerald Mosher, Paul McCreary and Richard Hardwick. Mayor Halliday asked City staff to work with the families to plant trees in their memory.

**NEXT SPECIAL MEETING, Saturday, January 29, 2022**