



**MINUTES OF SPECIAL JOINT MEETING OF
THE CITY COUNCIL/REDEVELOPMENT
AGENCY OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, September 12, 2000, 8:00 p.m.**

MEETING

The Special Joint Meeting of the City Council/Redevelopment Agency was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Hilson.

ROLL CALL

Present: COUNCIL/RA MEMBERS Jimenez, Hilson,
Rodriguez, Ward, Dowling, Wenson
MAYOR/CHAIR Cooper
Absent: None

PRESENTATION: Pride in Hayward Award

The following Glen Eden Neighborhood residents were presented with the Pride in Hayward Award for the month of September: Aureliano Gallardo; Reinhold and Helga Drewes; Wylder and Barbara Davis; Gloria Ontiveros; and Ernesto and Editha Acob. Mayor Cooper complimented them on their efforts in maintaining their homes.

PUBLIC COMMENTS

Frank Bowron, 31669 Chicoine Avenue, commented that there is a need for restrictions on the number of cats per household and other applicable regulations.

Francisco Abrantes, 22815 Alice Street, spoke on inspections in mobile home parks and apartments.

Jason Moreno, 25200 Carlos Bee Boulevard, spoke on local taxes.

Ron Barklow, 1210 Tiegen Drive, thanked the Mayor, as well as Supervisor Steele for sponsoring the recent public meeting on the EIR for Route 238.

Gerald Moseley, 1821 Hill Avenue, spoke about racial profiling in Hayward and commented on an incident where he was cited by Hayward Police.

CONSENT

1. Approval of Minutes of the Special Joint Meeting of the City Council/Redevelopment Agency

of September 5, 2000

It was moved by Council/RA Member Ward, seconded by Council/RA Member Henson, and unanimously carried to approve the Minutes of the Special Joint Meeting of the City Council/Redevelopment Agency of September 5, 2000.

2. Acceptance of Resignation of Dr. John Ribaldo from the Citizens Advisory Commission

Staff report submitted by City Clerk Reyes, dated September 12, 2000, was filed.

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried to adopt the following:

Resolution 00-138, "Accepting Written Resignation of Dr. John J. Ribaldo as a Member of the Citizens Advisory Commission off the City of Hayward"

3. Smalley Avenue Sewer Replacement Project - Award of Construction Contract

Staff report submitted by Deputy Director of Public Works/Utilities Ameri, dated September 12, 2000, was filed.

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried to adopt the following:

Resolution 00-139, "Resolution Awarding Contract to McNamara and Smallman Construction, Inc. for the Smalley Avenue Sanitary Sewer Replacement Project, Project No. 7589"

4. Authorization for Increase in Administrative Change Order Authority for the Decoto Pump Station Refurbishment and Upgrade

Staff report submitted by Deputy Director of Public Works/Utilities Ameri, dated September 12, 2000, was filed.

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried to adopt the following:

Resolution 00-140, "Resolution Approving an Increase to the Administrative Change Order Authority and Amending Resolution 98-110, as Amended, the Budget Resolution for Capital Projects for Fiscal Year 1998-99, Relating to an Appropriation of Funds for



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the Decoto Booster Pump Station Refurbishment and Upgrade Project”

5. Final Tract Map 7155 – Olson Urban Housing, LLC (Subdivider) – Approve the Final Map and Authorize the City Manager to Execute a Subdivision Agreement and Accept, Upon Completion of Improvements, Certain Streets into the City Street System
Staff report submitted by Development Review Services Engineer Garcia, dated September 12, 2000, was filed.

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried to adopt the following:

Resolution 00-141, “Resolution Approving Final Map for Tract 7155, Olson Urban Housing, LLC (Subdivider), Authorizing the City Manager to Execute a Subdivision Agreement, and Accepting Certain Streets into the City Street System”

HEARINGS

6. Appeal of Approval of Site Plan Review Application No. 00-130-13 - Frank Goulart for Friends of Hayward (Applicant); Jorge and Martha Gutierrez (Owners) – Request to Relocate a Residence (the “Harder House”) from 753 “A” Street to 297 Eastman Street in the Single-Family Residential (RS) District

Staff report submitted by Acting Principal Planner Paternaude, dated September 12, 2000, was filed.

Acting Principal Planner Paternaude presented the report and responded to questions from the Council. There was concern that the neighborhood was strongly opposed to the application.

Mayor Cooper opened the public hearing at 8:22 p.m.

Ron Barklow, 1210 Tiegen Drive, spoke in support of this project by the Friends of Hayward.

Isabel Miranda, 26147 Eldridge Avenue, spoke in favor of the project and appreciated the Gutierrez family for offering the property.

Jorge Gutierrez, 297 Eastman Street, applicant, spoke in favor of this project. He indicated that his family would live in the house once it was refurbished.

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Terry La Baron, 285 Eastman Street, cited John Fowler as the owner of the house. She also read a letter from Albertsons which stated Mr. Fowler was permitted to move the house by September 15. She responded to questions from Council Members. She expressed various concerns by the neighborhood.

Council Members expressed concern about the use and ownership of the house. Council Member Jimenez clarified that Mr. Harder was a Justice of the Peace. After his death, the position was upgraded to Municipal Court Judgeship.

Robert Lopez, 369 Jane Avenue, noted that he submitted a petition with twenty-five additional names of homeowners who oppose the move, and would speak on behalf of Greta and Edward G. Mateo who reside at 26069 Jane Avenue. He opposed the move of the house because he thought it would downgrade the value of the neighborhood.

John Fowler, 1394 B Street, reported that he had written confirmation that he owns the house. Albertsons confirmed to him that the home must be moved by September 15. He confirmed that he would maintain the historical integrity of the home.

City Manager Armas indicated that it had not been confirmed that Mr. Fowler was the owner of record. He suggested the Council deal only with the zoning issue before them.

Mayor Cooper suggested that, for their purposes, Council would consider Albertson's as the owner of the house.

Supervisor Gail Steele, 22586 Arlette Avenue, explained how she involved Alameda County, to approve a temporary move of the house due to the time requirement to remove it. She has actively been involved in trying to save this house. She said the real issue is to move the house within a few days; the timing is critical and the County is working to make the move happen.

Council Member Ward asked whether he would be able to accomplish all of this within the time line. He was assured that that would be the case.

Frank Goulart, 22248 Main Street, Friends of Hayward, responded to questions from the Council relating to the intended use of the house once it would be moved to the Harder property. He reported that the Friends would be willing to contribute towards the moving of the house. He indicated that this house is on the Friends list of what is historic in Hayward. He asked that Council deny the appeal because he believed neighborhood issues can be worked out. He said he would like to see City staff work as efficiently and quickly as they can to aid in the move of the house. He indicated that the appeal is for having both Harder Houses on the old Harder property. He added that the Friends were looking to gain a preservation easement so that the house would not be destroyed but would be kept in its historic nature. He indicated also that the Friends would be willing to financially support the move to Mr. Fowler's property with



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guarantees that the historical integrity of the building be maintained.

Council Member Ward commented that the issues in the neighborhood may preclude the move onto Eastman Street. He said there was further confusion as to the use of the house once it would be moved onto the Hayward site.

Council Member Rodriguez asked whether the Friends would be supportive of the move to Mr. Fowler's property.

City Manager Armas suggested Council deal with the question of moving the house within Hayward. Mr. Fowler would be moving the house to an area over which the City has no jurisdiction. He said there may be a creative way of accommodating him if he moves in a timely manner.

Mr. Goulart suggested the Friends would meet on September 13, 2000, in order to act quickly on the application.

Council Member Rodriguez said that Council appreciates the offer of the Guterrez family but with the dissent in the neighborhood, it would be easier to accept Mr. Fowler's offer.

Mayor Cooper closed the public hearing at 9:31 p.m.

Council Member Jimenez commented that he had never encountered a more confusing issue. He moved approval of the appeal and suggested the Council support the move to Mr. Fowler's property in Cherryland. The motion was seconded by both Council Members Dowling and Ward.

Council Member Dowling asked for an amendment to the motion to direct staff to cooperate as much as possible in aiding the move of the house.

City Attorney O'Toole suggested that the City could implement what the Council means without a formal motion. He said it was clear that Council would like staff to cooperate with Mr. Fowler in moving the house.

Council Member Dowling then asked Mr. Fowler if he intends to keep the house historically accurate.

Mr. Fowler responded that he plans to restore the exterior to its original condition, including an attempt to restore the veranda.

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Council Member Rodriguez commented that she was disturbed by the lack of communication within the neighborhood. She urged the neighborhood to make peace among themselves.

The **motion passed unanimously.**

7. Approval of Sale Agreement with Julie R. and John T. McKillop for 742 "B" Street

Staff report submitted by Redevelopment Director Bartlett, dated September 12, 2000, was filed.

Redevelopment Director Bartlett explained the bidding process and that this was the single response they received. She indicated that the McKillops have purchased and renovated another similar property on the block, as well as one in Colorado. She said the price is considered fair market value.

There being no requests to speak, Mayor/Chair Cooper opened and closed the public hearing at 9:42 p.m.

Council/RA Member Hilson moved the item and suggested that the garage door be removed.

Council/RA Member Dowling congratulated the McKillops on their renovation of the house they just previously finished on B Street. He also congratulated the Agency for continuing the process of bringing Albertsons into the area.

Mayor/Chair Cooper added that the restoration was begun by Pat Bouget who had a store there.

It was moved by Council/RA Member Hilson, seconded by Council/RA Member Rodriguez, and unanimously carried to adopt the following:

RA Resolution 00-16, "Resolution Authorizing the Executive Director to Execute a Sale Agreement with Julie R. and John T. McKillop for the Transfer of Newman Towers at 742 "B" Street"

COUNCIL REPORTS

Council Member Hilson reported that he attended a National League of Cities Telecommunications Committee meeting in Seattle recently. He spoke on towers for high resolution television, merging of companies that provide wireless communications to customers. He indicated that the Committee is continuing to try to protect the rights of cities.

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ADJOURNMENT

Mayor Cooper asked Council Member Jimenez to adjourn the meeting at 9:49 p.m. in memory of Dr. Michael Sheridan who served on the Council between 1956 and 1960. Dr. Sheridan was also one of the founders of St. Rose Hospital.

APPROVED:

Roberta Cooper, Mayor, City of Hayward
Chair, Redevelopment Agency

ATTEST:

Angelina Reyes, City Clerk, City of Hayward
Secretary, Redevelopment Agency

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