



**MINUTES OF SPECIAL JOINT CITY
COUNCIL/REDEVELOPMENT AGENCY MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, February 5, 2002, 8:00 p.m.**

MEETING

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

ROLL CALL

Present: COUNCIL/RA MEMBERS Jimenez, Hilson,
Rodriquez, Dowling, Henson
MAYOR/CHAIR Cooper
Absent: COUNCIL/RA MEMBER Ward

PRESENTATION: Business Recognition Award

The Business Recognition Award for February was presented to Mendel Biotechnology, a leading biotech company, and a pioneer in the application of functional genomics to the study of plant genes. Mendel's business objective is to discover and characterize the function of important plant genes to develop products based on these discoveries. These products will benefit customers in agriculture, healthcare, specialty ingredient, and consumer product markets. Mendel's vision is to harness a rich diversity of plant-derived products to increase the array of beneficial products produced by plants, such as new medicines, nutraceuticals, essential oils, in addition to a more abundant and safer food supply. Receiving the award for Mendel was Mr. William F. Goure, Ph.D., Vice-President of Commercial Development for Mendel Biotechnology. He thanked the Council for the award and noted a long-time relationship with the City.

Presentation of Award from the Local Government Commission

The 2001-2002 Ahwahnee Awards Program Design Plan Award was granted to the City of Hayward for the Hayward Cannery Area Design Plan, which covers approximately 71 acres of older industrial uses. The Plan expands on the accomplishments of the Hayward Downtown Plan of 1992 by bringing additional residents downtown via additional housing opportunities, an improved B Street and additional open space that can be enjoyed by both local and Hayward residents. City Manager Armas presented this award to CED Director Ehrenthal, who thanked Council for its support and noted that the award reflects Council's foresight to plan and provide resources for the cannery area project. She acknowledged and thanked staff members Gary Calame, Senior Planner, Dyana Anderly, Development Review Services Manager and Principal Planner Richard Patenaude, as well as Redevelopment Director Maret Bartlett.

PUBLIC COMMENTS

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Ed Bogue announced that the Southgate Homeowners Candidates' Night would be held on Wednesday February 13, at 7 p.m. at the Alameda County Public Works Building, at 951 Turner Court.

Jim Drake submitted letters regarding his neighborhood and asked that his correspondence be seriously considered. He also thanked Karen Holzmeister, Daily Review reporter, for her articles.

Francisco Abrantes commented on his candidacy for council.

Barbara Swarr commented on an ex-parte hearing regarding her family property in the redevelopment area. Additionally, she urged all to attend candidates' nights to be better informed.

Jason Moreno commented on his experience with the Oakland Police Department, the actual incident, and the reasons for his firing from that department.

Robert Lopez commented on Hayward schools and the students standardized test scores in the Hayward School District.

Frank Goulart announced a candidates' debate sponsored by the Neighborhood Alliance that will be televised on Friday, February 22 at 6:30 p.m. until 8:30 p.m. on Channel 28.

Aline Nunes spoke on her choice related to the mayoral race.

Anastasha Nunes commented on Hayward Public School students and noted her school grades.

Suzanne Cox reiterated issues in her neighborhood on O'Neil Avenue that related to homelessness, affordable housing, traffic and parking.

Lou Filipovich spoke related to his candidacy on the Oro Loma Sanitary District Board. He also spoke on lifetime term limits.

Mayor Cooper made two announcements. The first related to the Early Voting program that is available in the City Clerk's Office. The second announcement was given on behalf of Professor Ahmad Zamani of CSUH, who is seeking assistance for the Afghanistan community as well as considering the establishment of a sister city relationship with Kabul.

CONSENT

1. Approval of Minutes of the Special Joint City Council/Redevelopment Agency Meeting of January 15, 2002



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It was moved by Council/RA Member Hilson, seconded by Council/RA Member Henson, and carried, with Council/RA Member Ward absent, to approve the minutes of the Special Joint City Council/Redevelopment Agency Meeting of January 15, 2002.

2. Approval of Minutes of the City Council Meeting of January 22, 2002

It was moved by Council Member Hilson, seconded by Council Member Henson, and carried, with Council/RA Member Ward absent, to approve the minutes of the City Council Meeting of January 22, 2002.

3. Industrial Parkway/Whipple Road Corridor Project: Approval of Addendum and Award of Contract

Staff report submitted by Deputy Director of Public Works Bauman, dated February 5, 2002, was filed.

It was moved by Council Member Hilson, seconded by Council Member Henson, and carried, with Council/RA Member Ward absent, to approve the following:

Resolution 02-008, "Resolution Approving Addendum No. 1 for the Industrial Parkway/Whipple Road Corridor Project, Project No. 5192, and Awarding Contract to St. Francis Electric"

4. Professional Services Contract to Provide Computer Training for the Windows 2000 Migration Project

Staff report submitted by Assistant to the City Manager Saad, dated February 5, 2002, was filed.

It was moved by Council Member Hilson, seconded by Council Member Henson, and carried, with Council/RA Member Ward absent, to adopt the following:

Resolution 02-009, "Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Computer Training Resources, Inc. for the City's Computer-Training Provider for the Windows 2000 Migration Project"

HEARINGS

5. Draft City of Hayward General Plan (Excluding the Housing Element) and Final Environmental Impact Report

Staff report submitted by Senior Planner Calame, dated February 5, 2002, was filed.

Senior Planner Calame provided a brief report depicting the existing land use map with proposed changes to reflect the strategies. He pointed out the proposed zone changes on various parcels that reflect the current development and reported that the Valle Vista property owners have a proposed project that consists of a two hundred unit senior housing complex. He noted that the Planning Commission concurred with staff recommendations. Staff is requesting Council comments and direction necessary in preparing the various implementing documents and responded to questions.

Council Member Henson asked that Council delay any discussion relative to the proposed Area 6 in relation to development in the Clearbrook, Highland or Garin area until the end of this discussion so that he could abstain from the discussion. He is a resident in that area and would not be participating in that part of the discussion.

Council Member Jimenez asked about annexation procedures related to providing utilities. It was noted that any annexation proceedings would include access to utilities. Extensive consideration will be necessary for future development in this area as it is outside the city limits and would impact services.

Council Member Dowling inquired whether public meetings in that area would be conducted. He suggested that staff send copies of the agenda report to both the Twin Bridges and Fairway Park Homeowners Associations.

When Council Member Dowling asked how the Route 238 bypass right-of-way affected the Area 6 maps, it was noted that the Valle Vista property fronts on Mission Boulevard, but the rear area of this parcel is in Area 6. The Valle Vista Skating Rink site is impacted by this right-of-way and would need to be addressed in the future.

Council Member Henson asked if any renderings had been designed for the entire Mission Boulevard area that included traffic circulation, the auto dealerships, high-density and mixed uses. It was noted that there have been some sketches that were included in the Mission Garin Neighborhood Plan, as to what it might look like, but no renderings.

Council Member Henson also commented on the letter in the agenda report from the Alameda County Council on ChildCare asking that a Child Care Master Plan be included.

City Manager Armas responded, noting that staff direction was to incorporate general language addressing the issue rather than developing separate functional portions.



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Council Member Hilson expressed his concerns related to the need for a strong and effective traffic solution plan. He commented on the traffic data that was provided and the traffic impacts from proposed developments. He commented that he has not received evidence that high-density development in a major traffic corridor neither reduces traffic nor eliminates automobiles. The concept that “if you’re next to mass transit, you don’t need a car,” is a utopian viewpoint in a urban/suburban region. Traffic count will increase by 20,000 trips when 200 units are added, alluding to the proposed senior housing complex. He expressed serious concerns on the traffic volumes that were significantly lower in future years. He asked how the traffic data provided in the report correlate with potentials in increased jobs in the South of 92 area.

Senior Planner Calame noted that the traffic data does take into account the increased impacts such as projected employment, and other factors such as reliever routes from proposed roads. City Manager Armas responded that staff would review the traffic data and respond to his concerns on March 12th.

Council Member Hilson commented on pages 320 and 321 that address view corridors. He felt that the Plan was lessening the City’s focus to preserve them. He preferred the language not include mitigating measures for certain impacts. He also commented on landslide hazards on page 323.

City Manager Armas referenced one strategy that includes the review of the City’s grading ordinance and consider prohibiting construction on certain grades. He indicated that this would be addressed in the March discussion.

Council Member Rodriquez expressed her concerns related to the difficulty of evaluating as the area is in its present condition and in overall land use. She recognized the importance of evaluation it as it stands and inserting the proposed projects as is known. She stated that flexibility is essential, as well as having the necessary information including the traffic data, visual impacts, hill preservation and impact of new developments on the hills.

City Manager Armas indicated that this evaluation is one that studies what makes the most sense in the long term from a land use point of view. This is not a specific plan as in the case of the South of 92 area, but an integrated one.

Council Member Rodriquez emphasized that the public be informed on how the evaluation is completed, and in what context the general plan is developed.

City Manager Armas commented that staff would return with an approach to speak to the public participation component of the plan.

DRAFT

Council Member Jimenez noted that the traffic impact data is less than what was previously reported on the Mission-Jackson traffic corridor. It was his understanding that the traverse projection was 90,000 trips daily.

Council Member Dowling suggested a joint tour of the area.

Mayor Cooper opened the public hearing at 9:38 p.m.

Stephen Showers spoke on behalf of the Library Commission. He provided circulation of library materials data, and summarized the eight points that the Commission has requested be a part of the General Plan.

Guy Warren spoke on behalf of the Garin and Warren family, who own property in that area. The property is known as the South 40. It was noted that the quarry remained as limited medium density residential to provide flexibility to cluster future development with open space. The second is the Garin Pistol range, which is property designated as limited medium density residential as well. It will be necessary to build a water reservoir to provide water for potential development.

Jay Egy, Project Manager for daSilva Group, representing La Vista Quarry, commented on the area of 163 acres for potential development. The Group has requested a minor revision to allow an additional acre to the area.

Frank Goulart commented and referred to his letter included in the packet stating that the EIR is inadequate as it does not address historic preservation.

Bill Quirk commented and supported the Library Commission request to include the eight points previously submitted as part of the General Plan. He commended Council and staff, particularly Senior Planner Calame on their efforts to complete this General Plan.

Barbara Swarr commented favorably on the Library Commission's submittal and agreed with adding a historic preservation section to the General Plan.

There were no additional requests to speak after 10:00 p.m.

City Manager Armas indicated that staff needs further direction as to the area south of the skating rink. Staff would need to notify the affected property owners prior to the March 12th meeting and prepare legal documents to confirm the action. If action is not taken, a general plan amendment may need to be used to re-designate the zoning.

Council Member Hilson expressed strong concern with potential traffic impacts along Mission Boulevard. He would need to have additional information related to traffic mitigation before agreeing to the high-density designation in that area.



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Mayor Cooper indicated that this week ACTA/TEA would be making a decision to appeal the judge's order to stop the construction of the Route 238 by-pass. She felt that Council should wait until that decision is made before making a land use decision on this parcel.

City Manager Armas stated that Council's action on this particular parcel is independent of the ACTA/TEA decision. He noted that the property owner could apply for the high-density designation and the project development would need to be considered on its own merits. Staff was recommending the zone change to avoid using one of the four opportunities the City has to consider a General Plan Amendment.

Discussion ensued relative to the construction of the by-pass and whether it was still in the City's policy. It was noted that the construction of the Route 238 By-pass is part of the City's policy.

Council Member Henson asked whether information was updated related to seismic matters and flood control maps. City Manager Armas reported that property owners could appeal to FEMA to remove their individual parcels from the flood plain zone, but it would not be multiple parcels. He remained convinced not to change the designation until after the ACTA/TEA decision. He felt this was the best way, rather than to set aside something that could be in conflict later.

Council Member Dowling stated that he would consider a form of high density residential at the Valle Vista site, but would remind the applicant that there are issues involved as lack of sidewalks and accessibility to transportation. Included with his mobility issues, he expressed his concerns on recreational impacts and replacement of a recreational facility.

Council Member Hilson reiterated his concerns and commented that he was not comfortable with changing the designation at this time. He felt that the normal application process should be utilized in this very complicated matter. He moved the motion as stated below.

Tony Varni interjected his concerns on the motion and asked for clarification. It was noted that the Valle Vista parcel would retain its zoning designation at this time.

Council Member Henson noted that as long as revisions were not being made in the Clearbrook, Highland or Garin area, there would be no conflict of interest and he could vote on the motion.

It was moved by Council Member Hilson, seconded by Council Member Rodriquez, and carried, to continue the public hearing to March 12, direct staff to prepare the implementing documents for adopting the General Plan and certifying the EIR with the addition to the motion to not include the rezoning of the Valle Vista property, by the following roll call vote:

AYES: Council Members Jimenez, Hilson, Rodriquez,
Dowling, Henson

DRAFT

MAYOR Cooper
NOES: Council Member Jimenez
ABSENT: Council Member Ward
ABSTAINED: None

COUNCIL REPORTS

Council Member Hilson reported that the League of California Cities Board of Directors has authorized its Executive Director to pursue a ballot initiative for the November election that protects local government revenues constitutionally. In the past, the State has taken from local jurisdictions to balance its deficits. There will be a tremendous deficit in next year's budget and cities may be impacted as they were in the early nineties, when cities and special districts were required to pay into the education revenue augmentation fund. He commented on how that impacted the park district as well as this city. This initiative will keep the State from taking more from local governments.

ADJOURNMENT

Mayor Cooper adjourned at 10:23 p.m.

APPROVED:

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

ATTEST:

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