



**MINUTES OF THE CITY COUNCIL MEETING  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, April 15, 2003, 8:00 p.m.**

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**MEETING**

The Meeting of the City Council was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Henson.

**ROLL CALL**

Present: COUNCIL MEMBERS Jimenez, Hilson,  
Rodriquez, Ward, Dowling, Henson  
MAYOR Cooper  
Absent: None

**PUBLIC COMMENTS**

Barbara Swarr asked the Council to consider opposing the Patriot Act. She also suggested the City join or partner with grocery stores to provide shuttle service for shopping to lessen traffic in the downtown. She noted that there is a lack of recreational components in the housing complexes in the downtown.

Jason Moreno suggested that an ornate fence be installed around the water fountain structure in front of the rotunda, as it may be dangerous to children. On another topic, he announced that there would be a Neighborhood Alliance meeting this Saturday from 2 p.m. to 4 p.m. regarding crime issues. He displayed a notice of that meeting that will be held at 22248 Main Street.

**CONSENT**

Item 5 was removed for further discussion and separate vote.

1. Approval of Minutes of the City Council Meeting of April 8, 2003

It was moved by Council Member Hilson, seconded by Council Member Henson, and unanimously carried to approve the minutes of the City Council Meeting of April 8, 2003.

2. Water Main Replacement Project at "E" Street - Award of Construction Contract

Staff report submitted by Deputy Director of Public Works/Utilities Ameri, dated April 15, 2003, was filed.

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

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Resolution 03-052, "Resolution Awarding Contract to California Trenchless, Inc., for the E Street Water Main Replacement Project, Project No. 7159"

3. Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane - Preliminarily Approve the Engineer's Report, Adopt a Resolution of Intention and Set June 10, 2003, as the Public Hearing Date

Staff report submitted by Development Review Engineer Gaber, dated April 15, 2003, was filed.

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

Resolution 03-053, "Resolution Preliminarily Approving Engineer's Report, Declaring Intention to Levy Assessments for Fiscal Year 2003-2004, and Setting June 10, 2003, as the Public Hearing Date Concerning Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road, and Ruus Lane (MD No. 1)"

4. Establishment of Maintenance District No.2 - Eden Shores Buffer Zone and Pre-Treatment Pond - Preliminarily Approve the Engineer's Report, Adopt a Resolution of Intention and Set June 10, 2003, as the Public Hearing Date

Staff report submitted by Development Review Engineer Gaber, dated April 15, 2003, was filed.

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

Resolution 03-054, "Resolution Preliminarily Approving Engineer's Report, Declaring Intention to Levy Assessments for Fiscal Year 2003-2004, and Setting June 10, 2003, as the Public Hearing Date Concerning the Establishment of Maintenance District No. 2 - Eden Shores Storm Water Facilities and Water Buffer (MD No. 2)"

5. Consolidated Landscaping and Lighting District No. 96-1, Zones 1-10 - Preliminarily Approve the Engineer's Report, Adopt a Resolution of Intention and Set June 10, 2003, as the Public Hearing Date

Staff report submitted by Development Review Engineer Gaber, dated April 15, 2003, was filed.



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Council Member Dowling asked what the process is for notifying homeowners in this district. He also asked if the City meets annually or periodically with the board members of the homeowners' associations throughout the City.

In response, City Manager Armas indicated that this is merely setting the hearing and that notices will be sent out prior to the public hearing with opportunity for input at a public meeting as well as submitting something in writing prior to or at the public hearing. As the information regarding board members and whether the homeowners' associations are active is not readily available, the City does not meet periodically.

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

Resolution 03-055, "Resolution Preliminarily Approving Engineer's Report, Declaring Intention to Levy Assessments for Fiscal Year 2003-2004, and Setting June 10, 2003, as the Public Hearing Date Concerning Consolidated Landscaping and Lighting District No. 96-1, Zones 1-10"

## **LEGISLATIVE BUSINESS**

### **6. Adoption of Park In Lieu Fees Ordinance**

Staff report submitted by City Clerk Reyes, dated April 15, 2003, was filed.

Mayor Cooper noted that this item was under Legislative Business due to the vote. Council Member Jimenez used his Council Member's prerogative to continue the item for one week. Mayor Cooper asked that staff contact Hayward Area Park and Recreation District (HARD) to obtain their preference with regard to the introduced ordinance.

Ordinance 03-\_\_\_, "Ordinance Revising Article 16 of Chapter 10 of the Hayward Municipal Code for the Park Dedication In-Lieu Fees"

## **COUNCIL REPORTS**

Council Member Hilson reported on a meeting of the League of California Cities (LLC) Board. He reported the League is trying to protect cities' budget and there will be a mid-May Special LLC meeting to review the State's budget. He reported that 43% of the State's budget is toward funding of Proposition 98, 28% to health and human services, 7% to corrections, 9% to universities and higher education institutes and 13% to local tax relief and local mandates. The mandates are a

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relatively small portion of the budget; yet cities give up a higher percentage of their budgets toward the State. He noted that there is consideration of floating a bond on a multi-year basis to deal with the budget that could be funded by a ½ cent sales tax or take additional monies from local governments. There is still a third of the budget that will be very difficult to meet, which means a large cut to services. The new budget will come in May and he urged Council to attend that review of the State's budget. Lastly, he commented that an Ethics Education Task Force was initiated that will work to develop ways of connecting back with the constituency. There is great concern for ethics in local government.

**ADJOURNMENT**

Mayor Cooper adjourned the meeting at 8:20 p.m.

APPROVED:

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Roberta Cooper, Mayor, City of Hayward

ATTEST:

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Angelina Reyes, City Clerk, City of Hayward