



**MINUTES OF MEETING OF THE CITY COUNCIL
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 30, 2004, 8:00 p.m.**

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 Rodriquez.

ROLL CALL

Present: COUNCIL MEMBERS Jimenez, Hilson,
Rodriquez, Ward, Dowling, Henson
MAYOR Cooper

Absent: None

PUBLIC COMMENTS

John Kyle, a lifelong resident of the Bay Area, commented on committee appointments and asked for further information.

Jason Moreno commented on code enforcement for community preservation and asked for information on the enforcement process.

City Manager Armas explained that employees send letters to residents seeking cooperation to correct any identified complaint, no further action is taken if there is compliance. There may be follow-up if the complaint is not resolved.

Barbara Heringer-Swarr commented on bond issues and presented her concerns and urged that the citizenry be allowed to vote on the bonds for the new parking structure. She felt that the theater project is a good project except for the parking needs which will be increased in the area. She urged a model of the theater be placed in a public setting so that citizens can view the proposal in its own setting.

CONSENT

Items 5, 7 and 8 were removed for further consideration.

1. Approval of Minutes of the City Council Meeting of March 23, 2004

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 March 23, 2004.

2. Adoption of an Ordinance Amending Hayward Municipal Code Regarding Retention and Disposal of Personal Property

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Staff report submitted by City Clerk Reyes, dated March 30, 2004, was filed.

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

Ordinance 04-04, "An Ordinance Amending Sections 2-5.20 and 2-5.21 of Chapter 2 Article 5 Relating to the Retention and Disposal of Personal Property"

3. Adoption of an Ordinance Amending Hayward Municipal Code Regarding Mobilehome Space Rent Stabilization

Staff report submitted by City Clerk Reyes, dated March 30, 2004, was filed.

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

Ordinance 04-05, "An Ordinance Amending Ordinance No. 89-057 C.S., as Amended, the Mobilehome Space Rent Stabilization Ordinance"

4. City Hall Parking Structure Modification - Authorization for the Professional Services Agreement with KPFF Consulting Engineers

Staff report submitted by Deputy Director of Public Works Bauman, dated March 30, 2004, was filed.

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

Resolution 04-040, "Resolution Authorizing the City Manager to Execute an Agreement Between the City of Hayward and KPFF Consulting Engineers for Professional Services for the City Hall Parking Structure Modifications"

Resolution 04-041, "Resolution Amending Resolution 03-091, as Amended, the Budget Resolution For Fiscal Year 2003-2004, Relating to an Appropriation of Funds From the Redevelopment Agency Fund, Fund 451, to the City Hall Structure Modifications Project"



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5. Hayward Airport Improvements - Authorization for Professional Services Agreement with P&D Consultants, Inc.

Staff report submitted by Deputy Director of Public Works Bauman, dated March 30, 2004, was filed.

John Kyle asked about the need for further funding at the airport and suggested that this should have been discussed at the Council Airport Committee Meeting.

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

Resolution 04-045, "Resolution Authorizing the City Manager to Execute an Agreement for Professional Consultant Services with P&D Consultants for Design and Construction Support Services for the Airport Improvement Program (AIP 13)"

6. Transportation Development Act Article 3 Funds: Wheelchair Ramps – Authorization to File Application

Staff report submitted by Deputy Director of Public Works Bauman, dated March 30, 2004, was filed.

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

Resolution 04-042, "Resolution Authorizing the City Manager to Submit a Grant Application for Funds to Construct Wheelchair Ramps for Fiscal Year 2004-05"

7. Adoption of a Resolution to Extend the Memorandum of Understanding with the Hayward Police Officers' Association

Staff report submitted by Human Resources Director Perrin-Scales, dated March 30, 2004, was filed.

Mayor Cooper thanked both the Police Officers' Association and the Firefighters for their cooperation in foregoing raises for the next two years while extending their contracts and recognizing the budget needs of the City.

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

Resolution 04-046, "Resolution Accepting Memorandum of Understanding Between the City of Hayward and the Hayward Police Officers Association"

8. Adoption of a Resolution to Extend the Memorandum of Understanding with Hayward Firefighters, International Association of Firefighters, Local 1909

Staff report submitted by Human Resources Director Perrin-Scales, dated March 30, 2004, was filed.

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

Resolution 04-047, "Resolution Adopting Memorandum of Understanding Between the City of Hayward and the Hayward Firefighters Local 1909"

9. Adoption of a Resolution to Extend the Salary and Benefits Resolution for Unrepresented Employees (Department Heads)

Staff report submitted by Human Resources Director Perrin-Scales, dated March 30, 2004, was filed.

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

Resolution 04-043, "Resolution Amending Salary and Benefits Resolution for the Unrepresented Management Employees"

10. Adoption of a Resolution to Extend the Memorandum of Understanding with the Hayward Fire Management Association

Staff report submitted by Human Resources Director Perrin-Scales, dated March 30, 2004, was filed.

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

Resolution 04-044, "Resolution Adopting Memorandum of Understanding Between the City of Hayward and the Fire Management Association"



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LEGISLATIVE BUSINESS

11. Acquisition and Operation of the Hayward Boys and Girls Club

Staff report submitted by City Manager Armas, dated March 30, 2004, was filed.

Council Member Jimenez recused himself as a result of a possible conflict of interest on this item.

City Manager Armas made the staff presentation. He noted that the City of Hayward has a long history of ensuring activities for young people within the City. The Hayward Boys and Girls Club addresses the needs of lower income households but has been constrained in membership fees. Although revenues have declined, the commitment to service of youth has not. The City would like to commit resources to continue the recreation and academic facilities. HARD will use the club as a focal area for recreation offerings in the area. The Council was being asked to allow the city to pursue acquiring the building in exchange for which the City would assume the outstanding loan on the building. They would also authorize entering into a contract with HARD for a period of from April to June to guarantee no interruption of services. Staff will also meet with HARD during that period to develop a long-term strategy, then return with a budget and proposal to fund it on an annual basis.

Council Member Hilson commented that the City of Hayward has been very supportive of youth activities over the years including other services. He stated that this is much less expensive than having to deal with the high cost of youth crime. The City will have the total responsibility of the operation and overseeing the programs. He commented on the budget figures that might bring federal dollars back into the City. He clarified that the cost to the City would be the mortgage as well as underwriting some of the operation costs adding that this would generate a very high payback ratio.

Council Member Henson concurred with Council Member Hilson's comments. He asked for further clarification on the intent of this project. He asked if the facility would remain a Boys and Girls Club or as a recreational facility and whether there could be additional funding if it remained. He urged the continuance of the facility name if any funding is based on it. He asked about the \$50 annual fee for families in the area.

City Manager Armas explained that there would be a transition plan for a year or so and it would continue to be known as the Boys and Girls Club. Thereafter, there would be a proposal to label it differently. Given that it is already identified as the Matt Jimenez Center, staff and the City believe that would be an appropriate identifier for the facility in its entirety. Staff has usually made scholarships available for families who might need them. He said the impact to the General Fund should be kept as low as possible. He noted that HARD and the City of Hayward have a number of facilities treated in a similar manner such as Skywest Golf Course, Mission Golf Course, and Eden Youth Center.

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Council Member Ward asked about the title documents and whether it would be possible to combine a prospective bond measure so that the acquisition could occur with another activity. He asked what would happen to the existing staff.

City Manager Armas suggested they would convey title and potential for refinancing and would center on interest rates and operating the facility. He noted that the current staff would be offered opportunities, but payrolls structure may be different.

Mayor Cooper opened the public hearing at 8:34 p.m.

Barbara Swarr asked about the taxes paid by the Club and how it was insured. She noted that she was not complaining and said this is a great project and would be for the public good.

City Manager Armas explained that the facility is not part of the tax rolls and having it under the HARD umbrella would save even further money.

Mayor Cooper closed the public hearing at 8:37 p.m.

Council Member Dowling commented that he was pleased to be able to help to maintain these facilities. He also asked staff to keep them updated on the progress of the talks.

Council Member Rodriguez agreed that this is a very important facility. She noted the location as a complete sports complex for the south end of the City.

Council Member Henson expressed his hope that a combined energy would be generated between the Eden Youth Center, the Boys and Girls Club and the Park at this location. It is also appropriate to continue using Council Member Jimenez' name on the facility. He added that he would like the City to continue to make scholarships available for low-income families in the area.

Council Member Hilson congratulated the City and the Council on the significance of this action. He urged Council and staff to explore outreach into the community by involving other organizations to join in this effort.

Mayor Cooper commented that the City might be doing more and more of this with the budget constraints under which many of the special districts find themselves. She noted the responsibility that the City has to its young people. She said she was proud and pleased to support this issue.

It was moved by Council Member Hilson, seconded by Council Member Dowling, and carried, with Council Member Jimenez absent, to adopt the following:

Resolution 04-048, "Resolution Authorizing Acquisition of the Hayward Boys and Girls Club Facility and Authorizing the City



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Manager to Negotiate and Execute a Contract with HARD to Operate the Facility”

Resolution 04-049, “Resolution Amending Resolution 03-091, as Amended, the Budget Resolution for Fiscal Year 2003-04, Relating to an Appropriation of Funds from the General Fund, Undesignated Fund Balance Relative to the Operation and Acquisition of the Hayward Boys and Girls Club”

COUNCIL REPORTS

Mayor Cooper reported that next week’s meeting would be more ceremonial in nature. Council will certify the results of the election, and there will be opportunity for departing Council Members to make their good-byes. New members will be sworn in and have the chance to speak. A reception in the rotunda will follow the meeting.

ADJOURNMENT

Mayor Cooper adjourned the meeting at 8:42 p.m.

APPROVED:

Roberta Cooper, Mayor, City of Hayward

ATTEST:

Angelina Reyes, City Clerk, City of Hayward

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