



**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, October 11, 2005, 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 Boy Scout representatives from Troops 832 and 802. There were approximately twenty in attendance representing both troops.

ROLL CALL

Present: COUNCIL/RA MEMBERS Jimenez, Quirk, Halliday, Ward, Dowling,
Henson
MAYOR/CHAIR Cooper
Absent: COUNCIL/RA MEMBERS None

PRESENTATION: Pride in Hayward Award

The following Hayward Highland residents were honored with the Pride in Hayward Award for October: Joseph and Carma Mirabal, Florence Stoval, Rose Miller, Ann Burnham, and Delores Snell. Mayor Cooper thanked each for taking pride in their homes. She encouraged residents to nominate well-maintained homes.

PUBLIC COMMENTS

There were no requests to speak.

CONSENT

1. Approval of the Minutes of the Special Joint City Council/Redevelopment Agency Meeting of September 27, 2005

It was moved by Council/RA Member Henson seconded by Council/RA Member Quirk, and carried unanimously, to approve the minutes of the Special Joint City Council/Redevelopment Agency Meeting of September 27, 2005.

2. Approval of the Minutes of the Council Meeting of October 4, 2005

It was moved by Council Member Henson seconded by Council Member Quirk and carried unanimously, to approve the minutes of the City Council Meeting of October 4, 2005.

3. Authorization for the Sale of City Parcels at the Northwest Corner of West A Street and Hesperian Boulevard to Browman Development

Staff report submitted by Director of Public Works Bauman, dated October 11, was filed.

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

Resolution 05-122, "Resolution Authorizing the City Manager to Enter into a Sales Agreement with Browman Development Company for City-Owned Parcels Located at the Northwest Corner of West A Street and Hesperian Boulevard"

4. Authorization for the City Manager to Enter Into an Agreement for Use of City Rights-of-Way and Street Light Poles by NEXTG Networks, Inc.

Staff report submitted by Director of Public Works Bauman, dated October 11, was filed.

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

Resolution 05-123, "Resolution Authorizing the City Manager to Execute an Agreement between the City of Hayward and NextG Networks, Inc., for the Use of City Streetlight Poles and Related Rights-Of-Way"

HEARINGS

5. Proposed Sewer Service Rate and Sewer Connection Fee Adjustments

Staff report submitted by Deputy Director of Public Works Ameri, dated October 11, 2005, was filed.

Director of Public Works Bauman made the staff report, noting that the fee adjustments will put the City in the middle range of other agencies.

As there were no requests to speak, Mayor Cooper opened and closed the public hearing on sewer service and connection fees at 8:08 p.m.

Council Member Halliday felt that the fees adjustments were pretty moderate and could be easily handled by most households. The significant fees are those for new connections. She asked if this would have significant impacts to new developments or on potential annexations. Staff reported that the first year is \$800 and the second year is \$300, which is not an appreciable amount to new builders. She commended staff for maintaining the costs to residents as well as its efforts to upgrade our sewage treatment plant.

Director of Public Works Bauman reported, in response to Council Member Henson, that there is a significant investment in the design and administration of the water pollution control facility. The



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improvements will provide adequate long-term service and the City was successful in acquiring a state revolving loan.

Council Member Jimenez asked about the connection fees that go into sewer capital improvement fund. He noted that sewer service fees pay for the operation of the system and part of the enterprise system.

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

Resolution 05-124, "Resolution Amending Resolution No. 05-079, the Master fee Resolution for Fiscal Year 2005-06, Relating to the Public Works Department Revising Sewer Rates and Connection Fees"

LEGISLATIVE BUSINESS

6. Authorization to Execute Cooperation and Option Agreement with Russell City Energy Center-LLC

Staff report submitted by City Manager Armas, dated October 11, 2005, was filed.

City Manager Armas made the report enumerating the terms of the agreement, including indemnities and the community benefits. He indicated that with the various steps to be taken, construction will begin in 2007 and the plant will be operational two years later. In regards to toxic materials, consultants have begun to review the site. City Manager Armas responded to questions regarding the land exchange that will occur, the options on parcels and the inability to construct structures on the City's parcel as there is a very large pipeline that crosses it. He also noted that in the longer term, traffic circulation could improve with the Whitesell improvement. He introduced Mike Hatfield, who is representing Calpine.

Mike Hatfield responded to questions on the amendment process for the permit from the State, the technology for the proposed plant related to emission controls and dust monitoring stations, and the quality of the turbines. Mr. Hatfield reported that the actual appearance of the plant will be very similar to those of the new Metcalf Energy Center plant near San Jose.

Council Member Halliday asked Mr. Hatfield questions related to water treatment, the relocation of the slush beds, and the impacts to the upgrade of the City's plant, and expressed her concern on the air quality. Mr. Hatfield stated that those concerns will be addressed. City Manager Armas commented on this regard from the prior agreement and emphasized that the key principle is not to impair the operation of the City's treatment plant. He noted that with the improvements there will occur improved efficiencies and use of current property will be reduced. In trade, the acreage can be held in

reserve as an option for further development. Council Member Halliday asked about the relocation of the radio towers as was the case in the previous operation. It was noted that the property with the radio towers will not be utilized.

Council Member Jimenez commended Calpine representative for the use of the name Russell City Energy Center that is historical for Hayward.

Council Member Dowling asked where the energy will go and asked for additional information related to appearance of the lines. He liked the plain plant appearance and felt that the “wave” seemed to attract attention. Mike Hatfield noted that the energy company has an east shore substation, about a mile southeast off of Arden Avenue in the industrial area. He also stated that the best source of information is the California Energy Commission.

Council Member Ward asked the Calpine representative, Mr. Levin, to elaborate on the hazardous materials issues on the properties and was informed that there will be options on the property and there will be adequate clean-up for industrial purposes and uses.

In response to Council Member Quirk’s question related to water systems for the new plant, City Manager Armas stated that there are a variety of underground pipe systems that can serve that purpose.

Mayor Cooper opened and closed the public hearing at 8:54 p.m.

Council Member Henson was glad that this is back before the Council. He asked about the original permits that were filed and whether they can still be used. He felt that it is an absolute necessity that the highest technology be utilized.

Mayor Cooper stated that the ten million dollars to be contributed by Calpine for a new library is the least of what the City might anticipate.

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

Resolution 05-125, “Resolution Authorizing the Execution of a Cooperation and Option Agreement with the Russell City Energy Center, LLC”

7. Adoption of an Ordinance Amending the Zoning District Map of Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Territory Located at 2141 W. Jackson Street Pursuant to Zone Change Application No. PL 2004-0418

Staff report submitted by City Clerk Reyes, dated October 11, 2005, was filed.

City Clerk Reyes made the report. Mayor Cooper opened and closed the opportunity to speak at 8:59 p.m.



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It was moved by Council Member Dowling, seconded by Council Member Quirk, and carried by the following roll call vote to adopt:

Ordinance 05-13, “An Ordinance Amending the Zoning District Map of Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Territory Located at 2141 W. Jackson Street Pursuant to Zone Change Application No. PL 2004-0418”

AYES: Council Members Jimenez, Quirk, Halliday, Ward,
Dowling, Henson
NOES: MAYOR Cooper
ABSENT: None
ABSTAINED: None

COUNCIL REPORTS

Council Members Quirk, Dowling, Halliday, and Henson attended the League of California Cities Conference (LCCC) in San Francisco and provided reports on the various sessions that they attended. Council Member Dowling, as the City’s delegate, reported that the League heavily debated on Proposition 76, resulting in the League’s recommendation to support it by a very close vote. Council Member Dowling commented on the sessions that he attended that related to Civic Engagement, the establishment of a Peninsula Clergy Network that brought churches together on joint efforts and well as a session on disaster planning in San Francisco with plans to shelter animals during a disaster.

Council Member Halliday also attended and noted that it was her first time. She felt that the LCCC was quite interesting, educational, and somewhat exciting. She attended a session on the housing affordability crisis and listened to many thoughts and concerns when looking at this issue, including what homebuyers are doing these days to afford the high prices such as longer term mortgages, adjustable rates and spending more than thirty percent of their personal income. She also attended a session about public information officers (PIO) and programs. She obtained a book on this topic and anticipated future restoration of this frozen PIO position. Lastly, she attended a session on public records and disclosure, commenting briefly that there were numerous rules and regulations. She commended City Clerk Reyes for her participation on the panel that made the presentation.

Council Member Quirk noted that he attended sessions regarding budgets, audits, utility taxes and potential bonds. In regards to bond issues, he noted that it is necessary to educate the public on the benefits of a bond before placing it on a ballot.

ADJOURNMENT

Mayor Cooper adjourned the meeting at 9:12 p.m., with Council Member Dowling adjourning in memory of Mr. Daniel Joseph Sweeney, who passed away on October 10, 2005 at the age of 81. He served during World War II with service in the U.S. Army. He is survived by his wife and best friend of 56 years, Eleanor M. Sweeney, and his children Michael P. Sweeney and his wife Maria Ochoa, Kathleen A. Vierra, and Theresa C. Sweeney. A memorial mass will be held on Thursday, October 13, 2005, at 10:30 a.m., at St. Joachim's Catholic Church. In lieu of flowers, the family prefers donations to be made to SOS- Meals on Wheels and Spectrum.

APPROVED:

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

ATTEST:

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