



**MINUTES OF THE SPECIAL MEETING OF THE CITY
COUNCIL OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, July 13, 2006, 8:00 p.m.**

MEETING

The Special City Council Meeting was called to order by Mayor Sweeney at 7:30 p.m., who led the Pledge of Allegiance.

ROLL CALL

Present: COUNCIL MEMBERS Quirk, Halliday, Ward, Dowling, Henson
One Vacant Seat
MAYOR Sweeney
Absent: COUNCIL MEMBER None

PUBLIC COMMENTS

Brien Dyer commented on remarks made by Mayor Sweeney's during his installation speech. He suggested meeting with the Superintendent Vigil and the HUSD Chair to find out the challenges and the recent actions taken by HUSD.

LEGISLATIVE BUSINESS

1. Review and Approval of Process to Fill Council Vacancy

Staff report submitted by City Clerk Reyes, dated July 13, 2006, was filed.

The report was presented by City Clerk Reyes. Staff responded to questions related to costs if a special election is considered.

Mayor Sweeney opened the public hearing a 7:54 p.m.

Bob Perry offered a tribute to Council Member Jimenez and urged that the appointment process be utilized.

Brien Dyer spoke on the recommendation and urged that the Council appoint the next highest candidate on the past ballot. He also suggested there be an election.

The following spoke in support of appointing Robert Lopez:

Terry Higgins	Jason Moreno
Joseph Oberman	Harry Bruno
Tony Lobato	Roy Gordon
Rich LaPlante	Francisco Abrantes

John Morra spoke in support of conducting a Special Municipal Election in November.

Landis Graden, member of Economic Development Committee, stressed the importance of selecting an individual who best represents diversity and who has the passion for a better community.

Robert Lopez, council candidate in the previous election, thanked his supporters and spoke on his own behalf.

Frank Garcia spoke in favor of the appointment process as it may open more opportunity for diverse and different ethnicities, to represent diverse ideas, and be another diverse representative. Another election is financially costly. He described his experiences both as an appointed board member of the Hayward Unified School District as well as an elected board member.

Mayor Sweeney closed the public hearing at 8:29 p.m.

Council Member Quirk corrected the term as two years. He reiterated his experience campaigning. He commented on the votes received by candidates. He preferred the appointment process. This is an excellent opportunity to encourage community members to apply. He moved the staff recommendation with the amendment to interview a minimum of three and interview anyone who receives the minimum of three votes with no maximum of interviewees.

Council Member Dowling seconded his motion. It has been Council's tradition to do appointments the last four times and this would be the right thing to do.

Council Member Ward noted his experience in dealing with filling the vacancy, both appointees later became excellent council members. He stressed this very important opportunity for someone to run in November and would support a special election in November to elect someone to fill the remainder of the four-year term rather than having someone run in a partial term.

Council Member Henson experienced the appointment process and recalled it as a grueling process. He agreed that with a partial term an appointment could work, however, he felt that it would be a shorter, cleaner and fairer process to elect someone for the full four years. He was initially inclined towards the appointment process, but was convinced that the election process is the best opportunity and a better way for civic engagement. He agreed that this is a very special opportunity, while it is fresh in our minds. He would not be supporting this motion.

Council Member Quirk expressed his concern with the expense of having to run a campaign in such short notice. With so many races, most campaign efforts would be more for the Democratic Party. He discussed how during the election for the charter amendment to change the time of the election, he campaigned for the City to consolidate its elections with the State Primary. November is a very poor time to have an election.

Council Member Halliday expressed how very torn she was with this issue. She agreed with Council Member Quirk regarding her involvement with the charter amendment to change the date of the City's election. As there are many good potential candidates that could fill this vacancy, she would vote to go with the appointment process.

Mayor Sweeney stated that he would be supporting the motion, stating that he agreed what Mr. Perry



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said. He commented on Landis Graden's remarks and thanked him for the suggestion to look for someone with passion. He also agreed with Frank Garcia who encouraged a fair process. Mayor Sweeney agreed with the staff recommendation noting that it is reasonably expeditious.

It was moved by Council Member Quirk, seconded by Council Member Dowling, and carried by the following roll call vote to implement the appointment process to fill the vacant seat:

AYES: Council Members Quirk, Halliday, Dowling
MAYOR Sweeney
NOES: Council Members Ward, Henson
ABSENT: One Vacant Seat
ABSTAINED: None

City Manager Armas indicated that the information for the appointment process will be posted on the City's website and downloadable.

COUNCIL REPORTS

Council Member Henson announced a conference that is coming to the Bay Area. It is the largest residential green building event in the country. It will be held at the Bill Graham Civic Auditorium in San Francisco on September 28-30. There are scholarships available through the Waste Authority and encouraged staff to attend. On September 30 it will be open to home owners for a registration fee of \$20.

Council Member Halliday promoted biodegradable paper products and encouraged staff to pursue replacing Styrofoam products with such.

ADJOURNMENT

Mayor Sweeney adjourned the meeting at 8:49 p.m.

APPROVED:

Michael Sweeney, Mayor, City of Hayward

ATTEST:

Angelina Reyes, City Clerk, City of Hayward