



**MINUTES OF THE SPECIAL CITY COUNCIL/  
REDEVELOPMENT AGENCY MEETING OF  
THE CITY OF HAYWARD**  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, December 4, 2007, 8:00 p.m.

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**MEETING**

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

**ROLL CALL**

Present: COUNCIL/RA MEMBERS Rodriquez, Quirk, Halliday, Ward, Dowling,  
Henson  
MAYOR/Chair Sweeney  
Absent: COUNCIL/RA MEMBER None

**PRESENTATION:** Business Recognition Award – The Linde Group (Formerly BOC Gases)

The Linde Group was chosen to receive the December 2007 Business Recognition Award. The Hayward facility serves as the company's West Coast Headquarters where 25 employees have been operating since 1995. This award was presented to Linde Group for locating in Hayward for the past 12 years; providing job opportunities to local residents; volunteering to improve the City; and contributing to the overall economic well being of the Hayward community. Mr. Mike Beckman, Vice President of the West Market Division accepted the award on behalf of Linde Group. He thanked Council for the special recognition and commended his employees for their excellent work and contributions to this community.

**PUBLIC COMMENTS**

John Gilbertson, a Winton Grove neighborhood resident, stated that he, along with several other neighbors, is asking that next week's agenda include an item to discuss a grievance against the current City Manager.

Wynn Grcich spoke on the use of recycled water that is released on marshlands. She asked that a film be shown on the pollution of water, noting that East Palo Alto recently showed it at one of its council meetings.

**CONSENT CALENDAR**

1. Adoption of an Ordinance Repealing Ordinance No. 02-17 and all Amendments thereto, and Establishing a Plumbing Code for the City of Hayward, Regulating the Construction, Alteration, Repair, and Maintenance of Plumbing; Providing for the Issuance of Permits and Collection of Fees

Staff report submitted by City Clerk Reyes, dated December 4, 2007,  
was filed.

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

Ordinance 07-22, "An Ordinance Repealing Ordinance No. 02-17 and All Amendments Thereto, and Establishing a Plumbing Code for the City of Hayward, Regulating the Construction, Alteration, Repair, and Maintenance of Plumbing; Providing for the Issuance of Permits and Collection of Fees"

2. Appointment to Alameda County Mosquito Abatement District

Staff report submitted by City Clerk Reyes, dated December 4, 2007, was filed.

Council Member Henson commended Paul Garcia for serving 22 years on the District Board. Mr. Garcia thanked the Council for the re-appointment and reported that he previously worked for the District for over 34 years and is willing to continue serving on this Board.

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

Resolution 07-167, "Resolution Appointing Paul Garcia as City of Hayward Representative to the Alameda County Mosquito Abatement District"

## **LEGISLATIVE BUSINESS & INFORMATIONAL ITEMS**

3. Authorization to Enter into Contracts and Approval of Funding for Downtown Safe and Clean Effort

Staff report submitted by Redevelopment Director Bartlett, dated December 4, 2007, was filed.

Community and Economic Development Director Daluddung made the report, enumerating the various contracts for services in the downtown. She described the improvements for the trash containers and the recycling efforts. A private security firm will be contracted at \$150,000 annually for the cinema and the parking garage. A consultant will be utilized to review and improve the lighting in the downtown. She responded to Council questions related to the contracts.

Council/RA Member Dowling asked whether a consultant needs to be utilized for street lighting. He asked about the additional expense for hiring a consultant. Public Works Director Bauman explained the use of a consultant to assist in determining lighting and electrical upgrade. He urged that staff seek partnerships towards this effort. Chief Lowe responded to questions related to staffing and indicated that the funding of a second officer will be supported by the Downtown BIA. Council/RA Member Dowling suggested that out of town property owners be contacted.



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Council/RA Member Henson thanked staff for the quick response. He agreed that partnerships with the downtown businesses are needed. He asked about a camera surveillance system in the parking garage and was informed that the cost would be over \$150,000. He did not agree that 24 hour guard service would be sufficient and his preference would be the use of more security cameras. He thanked the staff for working with the faith organizations to assist this community. He thanked Reverend Randy of the Methodist Church for setting an example for feeding the needy. He commented on the negative appearance of certain businesses such as the Stein Room and discussed the possibility of banning smoking in the downtown.

Community and Economic Development Director Daluddung stated that the use of consultants would be for input on how to develop lighting strategies.

City Manager/RA Executive Director Jones reported that this is a staff response with quick implementation steps that will occur shortly. The long term policy implementation solutions will be resolved in the future.

Council/RA Member Halliday thanked staff for this report and for addressing the key areas of concern. She commented on the protection of the City's investment. She asked about the program of utilizing the developmentally disabled.

Council/RA Member Ward thanked the Keep Hayward Clean and Green Task Force for its efforts in improving the appearance of the downtown. He suggested the trash receptacles be utilized for advertising. He commented on the use of the day laborers to improve the downtown. He urged more promotions on their activities. He appreciated the presence of a police car near the police koban at the west end of City Hall.

Council/RA Member Rodriguez asked about the use of funds that could impact the annual CDBG funding. It was noted that this is a different funding source.

Council/RA Member Quirk preferred to utilize security personnel rather than cameras. He did not agree with using the trash receptacles for advertising.

Mayor/Chair Sweeney opened the public hearing at 8:59 p.m.

Pastor John Wichman reported the gum removal project that was recently done by day laborers in the downtown. He noted that a power washer was used to assist in the cleanup. Lastly, he presented a recommendation of using the day laborers for downtown clean-up.

Dan Henriques commented on his efforts to educate the public in taking the responsibility of cleaning up.

Dee Dee Ligibel, a resident of Grand Terrance, agreed with Council regarding security and spoke on the use of expensive security cameras compared to utilizing a security firm.

Mayor/Chair Sweeney closed the public hearing at 9:08 p.m.

Mayor Sweeney stated that he anticipates the improvements and appreciated staff. He also appreciated Council suggestions related to recycling containers and the possibility of restricting smoking in the downtown. He also stressed the importance of providing adequate lighting needs.

It was moved by Council/RA Member Ward, seconded by Council/RA Members Rodriquez and Henson, and unanimously carried to adopt the following and explore the possibility of pursuing the partnership with the day laborer program for cleaning up the downtown:

Resolution 07-168, "Resolution Authorizing the City Manager to Execute Contracts for Additional Sidewalk Cleaning Services Downtown"

Resolution 07-169, "Resolution Amending Resolution 07-079, as Amended, the Budget Resolution for Fiscal Year 2007-08, Relating to an Amendment to the BIA Budget and an Appropriation of Funds from the CDBG Fund for Additional Sidewalk Cleaning Services Downtown"

RA Resolution 07-25, "Resolution Authorizing the Executive Director to Execute Contracts for the Purchase and Installation of Upgraded Lighting and Trash Receptacles and Security Services Related to the Cinema Place Garage"

RA Resolution 07-26, "Resolution Amending Resolution RA 07-16, As Amended, the Redevelopment Budget Resolution for Fiscal Year 2007-2008, Relating to an Appropriation of Funds from the Redevelopment Agency's Fund 451, for Downtown Upgrades and Security Services"

#### 4. Proposed Historic Preservation Program

Staff report submitted by Senior Planner Pearson, dated December 4, 2007, was filed.

Community and Economic Development Director Daluddung stated that this ordinance is in response to a Council goal. She introduced Senior Planner Pearson who made the report and noted the community collaboration to prepare this proposal. Using a map from Alameda County's Assessor, Senior Planner Pearson explained the number of properties involved and informed the Council that this Historic Preservation program will take place within sixteen months with an anticipated adoption date of September 2008. He explained that the majority of the historic listing will include downtown buildings, but the list may include buildings located in other areas of the City. He also indicated that staff may need to enlist the help of volunteers to conduct the survey.

Council Member Ward thanked staff and commended Mr. Frank Goulart for his energy towards this effort. He stated that a historic building is not necessarily the age of the building. He



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suggested adding other potential criteria to the ordinance, such as certain architectural style or the residence of a historic person. He added that in San Francisco certain architectural buildings reflect particular ethnic groups reflecting the culture of that group. Lastly, he suggested that information be obtained from the County Historic Preservation office.

Council Member Henson agreed with Council Member Ward's consideration of architecture, and other points that are separate components of a historic preservation program. Pointing out that the report notes that the Green Shutter Hotel is listed on the national registry, he asked whether there was a state registry, which was affirmed by staff.

Principal Planner Patenaude elaborated further on the survey. He reviewed the clustering of the historic buildings. He explained the duties of the consultant who will assist with the criteria, develop a plan and conduct the survey with minimal funding. He elaborated on funding resources such as grants and the local historical society. He commented that a number of buildings on B Street qualify to be on the registry.

Council Member Halliday thanked staff for this program. She was concerned with how the focused area was determined. She indicated that the Mt. Eden area includes historic mansions such as the Oliver property and the McConagy House and a small building on Hesperian that was a former post office located outside the focus area. She asked that other historic landmarks be maintained such as the Archimedes Screw located around State Route 92 that relates to the salt industry. She urged staff to keep in mind that Hayward has expanded its boundaries and historic buildings are located in what was previously known as Mt. Eden. She asked for additional information on the funding. Staff indicated that Redevelopment funds will be utilized. She urged staff to utilize the Historical Society resources.

Council Member Rodriguez stated that this was long overdue and regretted the loss of the grand architectural Hayward High School on Foothill. She stressed the importance of teaching children about historic landmarks. She urged a city-wide focus rather than this area, but was pleased with this ordinance.

Council Member Quirk stated that community input is essential and asked staff what methods will be used to promote citizen input.

There was further discussion related to other buildings that were not included in the twelve mentioned in the report. There was also discussion as to how to assess the buildings as well as what criteria to utilize.

Council Member Henson suggested the consultant utilize the local knowledge of long-term residents of Hayward. He commented that the local Green Shutter Hotel is on the historic registry.

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

Frank Goulart commented on the report and recommended a consultant be utilized to accomplish this. He explained his proposed method of rating buildings. He provided some organizations that could be utilized as part of this effort. He also commented on the potential contributions by the Hayward Historical Society. He responded to Council questions and stressed the importance of the city-wide survey rather than the recommended focus area.

Council commended Mr. Goulart and his wife, Julie, for their efforts in favor of historic preservation. Council Member Ward noted the adaptive re-use of the Linniken Building.

Planning Manager Patenaude stated that the downtown is the historic core of the area and has the highest concentration of historic buildings. He responded to Council queries. This documentation and data will assist the Planning Department to respond to developers.

Mayor Sweeney closed the public hearing at 10:01 p.m.

Council Member Rodriguez was supportive of staff doing this work to positively accomplish the inventory of Hayward history. She urged that there be a partnership with the community to accomplish the intent of this ordinance. She recalled learning opportunities for children via the use of historic buildings and mentioned that there were mansions along Hesperian.

Council Member Dowling also spoke about the Hesperian mansions including the Fry-Mohr home next to Chabot College.

Council Member Quirk asked about the historic assessment on the building on B and Mission. It was noted that the building is owned by a developer and certain decisions must be set prior to the development of that building. He asked that Council receive notification of the community meetings that will be held.

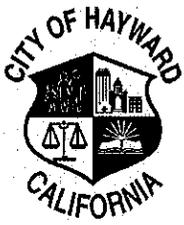
Council Member Henson spoke about a house on Tyrrell Avenue. He commented on a calendar he recently received from real estate agent Les Fohl that depicts hotels and a street car from Hayward's past and lamented their loss.

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

RA Resolution 07-27, "Resolution Amending Resolution RA 07-16, As Amended, the Redevelopment Budget Resolution for Fiscal Year 2007-2008, Relating to an Appropriation of Funds from the Redevelopment Agency's Fund 451, for the Proposed Historic Preservation Program"

## COUNCIL REPORTS

There were none.



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ADJOURNMENT

Mayor/Chair Sweeney adjourned the meeting at 10:06 p.m.

APPROVED:

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Michael Sweeney, Mayor, City of Hayward  
Chair, Redevelopment Agency

ATTEST:

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