



**MINUTES OF THE CITY COUNCIL MEETING OF  
THE CITY OF HAYWARD**  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, January 15, 2008, 8:00 p.m.

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**MEETING**

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

**ROLL CALL**

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

**PRESENTATION**

Business Recognition Award – Injex Industries, Inc.

The Injex Industries, Inc., was selected to receive the January 2007 Business Recognition Award. Injex Industries, Inc. is a plastic injection molding company that makes plastic interior components for NUMMI. Headquartered at 30559 San Antonio Street in Hayward, Injex recently expanded into their fourth Hayward location on Huntwood Avenue with a total of 210,000 square feet of operations. Since opening in 1984, their sales have grown 500 percent. This award was presented to Injex Industries, Inc., for opening and expanding in Hayward, providing job opportunities to local residents, being an industry leader, and contributing to the overall economic well being of the Hayward community. Mr. Pete Petri, Injex Industries President, accepted the award, provided a few historical points about Injex and thanked Council for the special recognition.

**PUBLIC COMMENTS**

Mayor Sweeney welcomed incoming City Attorney Michael Lawson.

Dan Henriques commented on a recent police incident and requested that a cell phone taken by the department be returned to him.

Wynn Grich spoke on the issues of contaminated water and distributed newspaper articles in that regard. She spoke on the dangers of using treated sewage water.

Kindra Mendall, Chair of the Keep Hayward Clean and Green Task Force spoke on the recent activities of the task force and noted that it will be a year since it began meeting. The task force is reviewing what was done and is trying to make some changes and to have a more productive year. She commended KHCG Carolina Abeyato for spearheading the clean up activities in the Schafer Park neighborhood. She invited all to the monthly clean up day events which typically occur on the fourth Saturday of the month with the next one scheduled for January 26<sup>th</sup> starting at 8:30 a.m. until

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noon. This activity will occur in the downtown area between Second Street and Rockaway Lane, and the meeting place will be at Second Street and Russell Way.

## CONSENT CALENDAR

1. Adoption of Resolutions to Approve Contracts with the Hayward Police Management Employees, Hayward Police Officers Association, and Hayward Unrepresented Employees

Staff report submitted by Human Resources Director Brock-Cohn, dated January 15, 2008, was filed.

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

Resolution 08-005, "Resolution Approving Memorandum of Understanding Between the City of Hayward and the Hayward Police Management Association"

Resolution 08-006, "Resolution Extending the Existing Memorandum of Understanding Between the City of Hayward and the Hayward Police Officers Association"

Resolution 08-007, "Resolution Adopting a Revised Policy Pertaining to the Salaries and Benefits Resolution for the Unrepresented Management Group"

2. Summary Vacation of a Portion of "A" Street and Sale of Surplus Property

Staff report submitted by Deputy Director of Public Works Fakhrari, dated January 15, 2008, was filed.

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

Resolution 08-008, "Resolution Pertaining to the Summary Vacation of a Portion of "A" Street Right-Of-Way Abutting Surplus Parcel No. 39, and the Sale of Surplus Parcel No. 39"

## HEARINGS

3. Introduction of an Ordinance to Amend Municipal Code Chapter 5, Article 1 – Solid Waste Collection and Disposal

Staff report submitted by Deputy Director of Public Works Ameri, dated January 15, 2008, was filed.



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Public Works Director Bauman made the staff report, noting the prior discussion at a work session in December. He provided an overview of the ordinance that will update the Hayward Municipal Code that addresses refuse collection and disposal. This ordinance has not been revised nor updated since 1960 and some revisions are necessary due to recent agreement updates with Alameda County Waste Management. He noted that this is timely as it will include the recommendation from the KHCG Task Force regarding the retrieval and storage of carts intended to improve the aesthetic quality of neighborhoods. It limits the hours that such can be left at the curb and provides for noticing property owners and allows for administrative citations. It also addresses issues related to unauthorized placement of trash in carts and bins and must be on the property that generates such. This ordinance establishes eligibility criteria and lower rates for low income single family residents. Outdated provisions will be deleted as there are no longer land fills in Hayward. He noted minor revisions to allow placement of carts and bins at locations other than the curb. He noted the public notices and community outreach efforts. He responded to Council Member Quirk's question related to the notification and provided a summary of updates to all of the apartment owners in Hayward.

Council Member Henson, the City's representative on the Alameda County Waste Management Authority, thanked staff for including the food scrap definition, as this will be a future program for Hayward residents. He asked whether staff considered adding information on this program. Public Works Director Bauman stated that this program will be added in June and there will be public outreach at that time as part of the recycling program. Customers will be notified beginning with their March billing.

Council Member Dowling stated that he has received calls from neighbors who note those who don't have garbage pickup. He asked what staff has done to enforce the mandatory service.

Director of Public Works Bauman responded that staff is also notified by neighbors when there is garbage with no pick ups, sometimes because the bill was not paid. These complaints are generally addressed by Community Preservation staff. There have also been those who state that they recycle everything and don't need the service such as a landscaper. The mandatory service ordinance provides for limited exceptions, but very few customers have qualified for the exception. Staff investigates this issue when it is notified.

Mayor Sweeney opened the public hearing at 8:30 p.m.

Kindra Mendall, KHCG Task Force Chair, stated that a part of this ordinance was discussed by the Task Force related to leaving carts and bins at the curb after pickup and appreciated the time limit and the effort to enforce. She also commented that commercial businesses have garbage enclosure, but continue to leave their dumpsters outside the enclosure.

Mayor Sweeney closed the public hearing at 8:31 p.m.

Council Member Henson thanked staff as well as the KHCG Task Force for their arduous work. He reminded staff that although the definitions are excellent in the revised ordinance, they will need to be updated as technology changes. Periodic revisions will need to be inserted in the future.

Acting City Attorney Conneely advised that any future insertions will require staff to return to Council to amend this ordinance.

Mayor Sweeney inquired whether Council Member Henson desired to continue this public hearing to address the definitions. Council Member Henson was willing to second the motion to introduce this ordinance, with the suggestion that staff continues to work on any definitions that may need updating due to new programs and technologies and return at a later date to make such amendments.

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

Introduction of Ordinance, 08- , "An Ordinance Amending Chapter 5, Article 1 of the Hayward Municipal Code Relating to Solid Waste Collection and Disposal"

## **COUNCIL REPORTS**

Mayor Sweeney announced the upcoming annual Martin Luther King Celebration that will be held next Monday and will begin promptly at 6 p.m. at Centennial Hall. He noted that the Tennyson High School Jazz Band will be performing. He invited all to attend. Council Member Halliday announced the annual kickoff rally will be held at the City Hall Plaza at 9:30 a.m., noting the program with a flyover by the California Red Tails of the Black Pilots Association of America. It will end with a march through downtown Hayward. Council Member Henson also announced that the New Bethel Church on Kelly Hill will conduct a clean up effort beginning at 10 a.m.

## **ADJOURNMENT**

Mayor Sweeney adjourned the meeting at 8:36 p.m.

## **APPROVED:**

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Michael Sweeney, Mayor, City of Hayward

## **ATTEST:**

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Angelina Reyes, City Clerk, City of Hayward

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