



**MINUTES OF THE CITY COUNCIL MEETING OF  
THE CITY OF HAYWARD**  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, January 22, 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 Dowling.

**ROLL CALL**

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

**PUBLIC COMMENTS**

Dan Henriques discussed his claim regarding a lost cell phone.

Doug Ligibel reported that he filed a police report regarding graffiti and recent vandalism in his neighborhood. He distributed photos of the damages. He emphasized and asked that the proposed six percent cuts on the City's budget be reconsidered in the police department as there is a real need for police presence and enforcement in the downtown.

Council Member Quirk announced the forthcoming Literacy Program fundraising event to be held on February 8<sup>th</sup> in the City Hall Rotunda beginning at 5:30 p.m. at a cost of \$25.

**CONSENT CALENDAR**

Council Member Halliday asked that Consent Item #6 be removed for additional discussion.

1. Approval of Minutes of the Special City Council/Redevelopment Agency Meeting of January 8, 2008

It was moved by Council/RA Member Henson, seconded by Council/RA Member Dowling, and unanimously carried, to approve the minutes of the Special City Council/Redevelopment Agency Meeting of January 8, 2008.

2. Approval of Minutes of the City Council Meeting of January 15, 2008

It was moved by Council Member Henson, seconded by Council Member Dowling, and unanimously carried, to approve the minutes of the City Council Meeting of January 15, 2008.

3. Adopt Ordinance Amending Municipal Code Chapter 5, Article 1 – Solid Waste Collection and Disposal

Staff report submitted by City Clerk Reyes, dated January 22, 2008, was filed.

**DRAFT**

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

Ordinance 08-01, "An Ordinance Amending Chapter 5, Article 1 of the Hayward Municipal Code Relating to Solid Waste Collection and Disposal"

4. Tract Map 5937 – Union Pacific Funding, Inc. (Subdivider/Owner) – Authorize the City Manager to Execute a Subdivision Agreement Associated with an Eight Lot Subdivision on Dobbel Avenue

Staff report submitted by Development Review Services Engineer Nguyen, dated January 22, 2008, was filed.

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

Resolution 08-009, "Resolution Authorizing the City Manager to Execute a New Subdivision Agreement for Tract 5937, and Release of Obligations Under Former Agreement"

5. Utility Service Agreement (07-03) – Rima and Miscal Ballesteros, Alexander and Cristabel Choi (Applicants/Owners) – Authorize the City Manager to Execute a Utility Service Agreement for Water Service for Three Properties on Clover Road in the Castle Home Area of Unincorporated Alameda County

Staff report submitted by Development Review Specialist Sokoya, dated January 22, 2008, was filed.

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

Resolution 08-010, "Resolution Authorizing the City Manager to Apply to LAFCO for Approval of Utility Service Agreement (USA 07-03) to Provide Water Service for Three Properties on Clover Road in the Castle Home Area of Unincorporated Area of Alameda County and Further Authorizing the City Manager to Execute Such Agreement"

6. Bus Shelter Assignment Agreement

Staff report submitted by Deputy Director of Public Works Fakhrai, dated January 22, 2008, was filed.

Council Member Halliday asked for clarification on the agreement renewal. She confirmed with Public Works Director Bauman about the changing of companies and that the high cost of



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maintenance has made this agreement pretty much a break even agreement. There was a further question on the illuminating of the remaining shelters when the costs can be reduced via PG&E.

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

Resolution 08-013, "Resolution Authorizing the City Manager to Negotiate and Execute a Consent of Assignment of the Existing Bus Shelter Installation and Maintenance Agreement Between the City of Hayward and Lamar Outdoor Corporation to Clear Channel Outdoor, Inc."

7. Authorize the City Manager to Alter the Scope of the Contract with the Team of Godbe Research, Inc., and Larry Tramutola, LLC; and Appropriate Additional Funds

Staff report submitted by Assistant City Manager David, dated January 22, 2008, was filed.

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

Resolution 08-011, "Resolution Authorizing the City Manager to Amend the Contract with Godbe Research, Inc. and Larry Tramutola, LLC to Develop a Budget Communication Strategy"

Resolution 08-012, "Resolution Amending Resolution 07-09, As Amended, the Budget Resolution for Fiscal Year 2007-08 Relating to an Appropriation of Funds to Complete the Community Survey, and Assist the City in Developing a Budget Communication Strategy"

## **HEARING**

8. Text Amendment No. PL-2007-0586 – Initiated by the Planning Director – Request to Amend the Sign Ordinance to Permit Auto Dealers along Auto Row to Install Permanent Banners

Staff report submitted by Principal Planner Patenaude, AICP, dated January 22, 2008, was filed.

Director of Community and Economic Development Daluddung introduced the report, noting that Hayward auto dealers are in competition with updated auto malls in neighboring cities that are near freeways. She indicated that there were meetings with the auto dealers, which she appreciated.

**DRAFT**

Staff also reviewed programs from other cities to finalize this proposal, noting that the City of Sunnyvale's ordinance was used as a model. Principal Planner Patenaude continued the report, noting that this proposed banner program will create some uniformity in signage along the Mission Boulevard auto row. Currently auto dealers are using different approaches for signage and often the temporary signs remain much longer than permitted. This proposal would improve the look and enhance auto sales, which are essential to the City's sales tax revenue. He referred to comments received that were distributed including the request from merchants who are not auto dealers.

Council Member Ward asked if staff considered one type of sign along the entire auto row. Staff indicated that there will be one sign manufacturer that will use one design with adjustments for the various auto dealer graphics. Council Member Ward expressed his concerns on a look that could result in a hodgepodge of cluttered signs along Mission Boulevard. He asked that the signs be designed with the City's graphics and fonts larger than the individual auto dealer graphic. In response to his question as to the locations of the proposed signage, Principal Planner Patenaude reported that these signs will not be in the City's right of way, but installed on the auto dealers' private property.

Principal Planner Patenaude responded to Council Member Henson's questions related to the undergrounding of utilities project that will be in conjunction with the Route 238 improvements. Council Member Henson suggested that an electronic reader board or monument sign be installed to denote the auto row entrance. Director of Community and Economic Development Daluddung reported that this will be addressed in the future work plan as well as signage near the freeways to promote the City's auto row. Council Member Henson spoke on the significance of the sales tax revenues from auto sales in Hayward.

Council Member Dowling appreciated the staff work and asked if all of the auto dealers are expected to participate. Director of Community and Economic Development Daluddung reported that this program will be offered to all properties identified as such in the City's General Plan. There will be some Redevelopment Agency funding for the banners with specific requirements for their designs. The balloons and the flag banners will not be permitted and the new ordinance will be enforced.

Mayor Sweeney restated a question as to whether this program will be offered to pre-owned vehicle dealers. Staff affirmed that.

Council discussed their preferences, appreciating the fact that the banners and balloons will be disallowed as the balloons impact our environment.

Council Member Halliday, noting that reader boards could cause accidents, asked if staff was aware of accidents occurring due to the large signage along Mission Boulevard. Principal Planner Patenaude was not aware of any. Council Member Halliday noted that this would be an improvement along that corridor.

Mayor Sweeney opened the public hearing at 8:43 p.m.

Bud Allen, an automobile sales business owner for over 20 years enumerated the number of dealerships that he has seen leave Hayward for Dublin-Pleasanton, Fremont and San Leandro auto



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malls and rows. He noted that Hayward's automobile dealership sales were the highest in the region. Now there is greater competition with newer malls and easy access from freeways. He reported from a 1989 City report that the automobiles sector provided 23 % of the sales tax for this City, now it is less than 11%. He spoke in favor of this program that will help make the dealerships appealing. He appreciated working with staff, noting that this is a great step forward to be more attractive. He looked forward to the Route 238 Improvement Project that will enhance the corridor. He reported that Hayward Ford will be leaving for San Leandro. He responded to Council questions regarding pre-owned car sales facilities and indicated that the new auto dealers will attempt to speak to those owners to buy into the proposed program. In response to a question from Council Member Halliday related to internet sales, he indicated that the internet expands the reach for sales.

Dan Henriques agreed with disallowing the balloons and suggested that the area be identified from the freeway entrance.

Mayor Sweeney closed the public hearing at 8:52 p.m.

Council Member Quirk moved the staff recommendation and thanked Mr. Bud Allen for his efforts in working with staff. Council Member Henson also thanked the entire staff for working with auto dealers, stating that this is the beginning and hoped that this improvement will help sales and preserve the City's reputation. In regards to the letter from Mr. Jardine, an insurance agent, Council Member Henson stated that he spoke with him. Mr. Jardine felt that there was a disparity in treatment related to the widening of Mission Boulevard, but understood the necessity of the proposed program and was not against it.

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

Resolution 08-014, "Resolution Approving Text Change Application No. PL-2007-0586, Amending the Sign Ordinance to Permit Auto Dealers Along Auto Row to Install Permanent Banners"

Intro Ordinance 08-\_\_, "An Ordinance Amending Chapter 10, Article 7 of the Hayward Municipal Code Relating to the Sign Ordinance as It Applies to Auto Dealerships"

## **COUNCIL REPORTS**

Council Member Dowling thanked Director of Public Works Bauman and Airport Manager Dubarry for their attendance and presentation to the San Lorenzo Homeowners Association meeting, which was much appreciated.

**ADJOURNMENT**

Mayor Sweeney adjourned the meeting at 8:55 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