



**MINUTES OF THE SPECIAL CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING OF
THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, January 29, 2008, 8:00 p.m.**

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 Henson.

ROLL CALL

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

CLOSED SESSION ANNOUNCEMENT

Mayor Sweeney reported that a Closed Session was held prior to this Council Meeting regarding the salary of the City Clerk, which will be on an agenda in February.

PUBLIC COMMENTS

Andrea Dareing, Bodega Street, spoke in favor of re-opening Holiday Bowl as a bowling center.

Kathleen Robb, Cole Place, spoke in favor of using the Holiday Bowl for recreational purposes.

Rae Farrell, Evergreen Street, commented that at one time there were four bowling facilities in Hayward and asked that efforts be made to re-open the Holiday Bowl.

Allison Robb, Cole Place, reported that in the past, she was a Junior League member at Holiday Bowl and desired more recreational facilities for our youth.

Mayor Sweeney asked that staff inform these individuals as the property is developed.

Roberto Martin spoke against the taking of his property for a street widening, curb, gutter and sidewalks project on Douglas Street and indicated that he is collecting signatures against the taking of property in front of his home. He asked why he was not allowed to vote on this taking. Mayor Sweeney asked that staff investigate and report back to Council and Mr. Martin. Public Works Director Bauman asked that Mr. Martin return his neighborhood petition to him directly.

Roy Gordon, a Southgate resident, commented that he was recently notified that there will be insufficient Caltrans funds for the completion of the improvements on the Calaroga overpass. He spoke against the proposed one way traffic during the construction of the project overpass and urged Council to require Caltrans and its contractors to better communicate with the neighborhood. He also asked that school administrators be notified when there are temporary closings or work that could impact the schools' operation.

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Tom Wenner, a 34 year resident residing on Calaroga, commented that most of the neighborhood residents were opposed to this project. He spoke against the factors of eliminating landscaping and one way traffic. He urged the Council to investigate this matter.

Edward Bogue, Poinciana Street, spoke against the recent option presented by Caltrans to eliminate landscaping and to have one-way traffic during the construction of the Calaroga overpass, a construction need due to the widening of the Jackson/880 interchange project.

Director of Public Works Bauman assured the Council that Caltrans is not backing out of any of their commitments. The fact is that this project was over budgeted, but additional funding was made available and there was funding for landscaping. Caltrans had recently presented a proposal to reduce the construction time from twenty months to ten months to save money, but the neighborhood would be impacted with one-way traffic during that time. Mayor Sweeney requested that staff place this on a future agenda.

Council Member Dowling asked for an update on what is actually being done with this project as the current appearance is unsightly and recommended a community meeting be set to inform the neighborhood. He wondered if removing every tree in the area was necessary. Director of Public Works Bauman reported that trees and fences have been removed and currently erosion control material is being placed on that area.

Council Members Rodriguez commented on her experience with this project and the work involved making this project one that did not impact as many homes as was once recommended. She expressed her concerns that could cause head-on accidents and concerns for walking school children. She was interested in bringing the problems and concerns back to Council.

Council Member Halliday asked staff if there was time for a community meeting and it was affirmed.

Edward Bogue, President, spoke on behalf of the Southgate neighborhood, noting that the neighborhoods do not want to delay the project and the residents do not want the option of the one lane. He was not in favor of conducting another community meeting as this is a key component of the project, which would delay the project even further.

City Manager Jones re-stated direction to staff to inform Caltrans to abide by its original agreement with the City and to communicate to Caltrans to build the original project that includes landscaping.

Debra Aucker, Finance Director, announced a City Expo that will occur on Wednesday, January 30th to present City services to the community as well as tours of the City Hall building in celebration of the tenth anniversary of its opening.

Mayor Sweeney announced a community meeting in the Fairway Park neighborhood at Hillcrest Elementary School beginning at 6:30 p.m.

CONSENT CALENDAR

Consent Items 1, 6 and 7 were removed for separate vote.



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1. Approval of Minutes of the City Council Meeting of January 22, 2008

The Minutes were continued so that Council Member Henson's revision on Page 3 could be added.

2. Adoption of an Ordinance Related to Text Amendment No. PL-2007-0586 Amending the Sign Ordinance to Permit Auto Dealers along Auto Row to Install Permanent Banner

Staff report submitted by City Clerk Reyes, dated January 29, 2008, was filed.

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

Ordinance 08-02, "An Ordinance Amending Chapter 10, Article 7 of the Hayward Municipal Code Relating to the Sign Ordinance as It Applies to Auto Dealerships"

3. Resignation of Peter Cabezas from the Citizens Advisory Commission

Staff report submitted by City Clerk Reyes, dated January 29, 2008, was filed.

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

Resolution 08-015, "Resolution Accepting Written Resignation of Peter Cabezas from the Citizens Advisory Commission"

4. Adoption of Resolution to Approve Contract with the Hayward Fire Management Employees

Staff report submitted by Human Resources Director Brock-Cohn, dated January 29, 2008, was filed.

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

Resolution 08-016, "Resolution Adopting Memorandum of Understanding between the City of Hayward and the Hayward Fire Chiefs Association"

5. Recycled Water Facilities Plan – Authorization for the City Manager to Execute an Agreement with RMC Water and Environment to Prepare a Recycled Water Facilities Plan and Appropriation of Funds

Staff report submitted by Deputy Director of Public Works Ameri, dated January 29, 2008, was filed.

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

Resolution 08-017, "Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with RMC Water and Environment for a Recycled Water Facilities Plan"

Resolution 08-018, "Resolution Amending Resolution 07-081, As Amended, the Capital Improvement Budget Resolution for Fiscal Year 2007-08, Relating to an Appropriation of Funds for Preparation of a Recycled Water Facilities Plan"

6. Authorization to Enter into an Exclusive Negotiating Agreement with Mika Realty Group for a Proposed Mixed Use Development at the City Center Campus

Staff report submitted by Redevelopment Director Bartlett, dated January 29, 2008, was filed.

In response to Mayor/Chair Sweeney's question regarding the exclusive negotiating agreement, Director of Community and Economic Development Daluddung affirmed that this is not the final agreement terms and when it is presented to Council, the agreement can be further negotiated.

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

RA Resolution 08-001, "Resolution Authorizing the Executive Director to Negotiate and Execute an Exclusive Negotiating Agreement between the Redevelopment Agency of the City of Hayward and MIKA Realty Group for a Proposed Mixed Use Development at City Center Campus"

7. Final Map 7736 – Stonebrae, L.P. (Subdivider) – Amendment to Final Map Relating to Certain Conditions of Approval Pertinent to Traffic Fees and Roadway Improvements - The Project is Located Southeast of Fairview Avenue/Hayward Boulevard in Eastern Hayward on Walpert Ridge

Staff report submitted by Development Review Engineer Nguyen, dated January 29, 2008, was filed.

Council Members Ward and Quirk announced that they are members of the Stonebrae Country Club and resulting in a conflict of interest for each. Mayor Sweeney asked that the motion not be made until they left the Chambers. City Manager Jones also as he resides in that subdivision.



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

Resolution 08-019, "Resolution Amending Final Map Tract 7736, Stonebrae Country Club Village B Relating to Certain Conditions of Approval Pertinent to Traffic Fees and Roadway Improvements"

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

Council Members Quirk and Ward returned to the dais as well as City Manager Jones.

HEARINGS

8. Introduction of an Ordinance to Amend Chapter 10 of the Hayward Municipal Code by adding Article 20, a Civic Bay-Friendly Landscaping Ordinance

Staff report submitted by Deputy Director of Public Works Ameri, dated January 29, 2008, was filed.

Director of Public Works Bauman reported that this is another step the City is taking to become an environmentally sensitive community. This ordinance will provide leadership to developers of public lands by incorporating environmental principles with design. He briefly explained the principles of the ordinance and explained the scorecard principles. He reported that the first project involving this policy will be the Route 238 Corridor Improvements Project and landscaping for the new library.

Council Member Dowling brought up the issue of the sparse look in landscaping and pointed out good landscaping as that in front of Moreau High School and the Foothill Boulevard median, near Apple Avenue. He stated that in his view, the landscaping along Harder Road is too low and not attractive, noting that height is attractive and more trees should be planted. He stressed the importance of attractiveness in landscaping and the need to select plantings that grow. It seemed that the sparseness allowed weeds to grow.

Director of Public Works agreed that at the beginning of a completed project, bay friendly landscaping is a different look that does seem sparse. Although not a complete bay friendly project, the Foothill landscaping does incorporate the basic principles. Staff is aware of the sparse look, noting that medians are easier to maintain than larger areas in particular when it includes slopes. It is essential to make a good effort to make the initial design attractive.

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Council Member Ward suggested that staff show some examples on the City's website. He asked what the difference was between drought tolerant and bay friendly plantings and what that means in terms of the use of water. In response, Director of Public Works Bauman stated that there are drought resistant plants, but minimizing the amount of turf as it requires lots of water is a factor of bay friendly landscaping. Water conservation is important. Council Member Ward inquired whether this landscape ordinance for the City could be combined with the drought resistance plantings for development and private development. It was noted that staff will review his suggestion as it develops the ordinance for private development. At the suggestion of Council Member Ward to encourage other local jurisdictions as HARD and the school district to consider bay friendly principles, Director of Public Works Bauman stated that staff is beginning conversations with them.

Council Member Henson reported that the City needs to comply with several mitigations and this is part of it. He reported that Stopwaste.org has examples on its website and one could simply click on the bay-friendly link to view them. He recommended that staff include this in the conditions of approvals for homeowner associations when new developments come forward. He also recommended that as Hayward proceeds, that it include bay friendly examples on the City's website. He also commented on another feature that is offered by Stopwaste.org that provides tours and recommended that property owners be able to sign up for this bay friendly landscape tour. His objective is to include Hayward as part of the tour. It was noted that staff will certainly make this a part of policy processes for private development.

Council Member Halliday indicated that there was more than sufficient information provided at the work session and she would like to see more education materials disseminated. She stressed the importance of making strong efforts to provide these principles to residents. She would like to see educational materials and awareness brochures be made available for residents. She commented on the Sara Conner development that is an excellent example of this policy. In reference to Council Member Dowling's concern on sparseness, she commented that perception is part of accepting the real beauty of native plants as compared to those to which one is accustomed.

Mayor Sweeney opened the public hearing at 8:54 p.m.

Theresa Eade, Senior Program Manager representing Stopwaste.org addressed several issues that were made during this discussion. Bay Landscaping does not have to be sparse and there is a way to address this in the design. Bay friendly principles are environmental parameters provided to the designer to create the desired aesthetic. Some landscaping is over planted, not maintained and becomes overgrown. She explained standards that include restricting shearing and reduced lawns. She noted that the Sara Conner project has a more formal appearance. In some instances, using short lived plants first, to allow the slower growing larger plants to mature to size. This could be done as a natural setting of growing such as using wild flowers in the first year until the perennials grow. She encouraged City staff to utilize Stop.org resources. She will be sending the reprinted residential guide.

Council Member Henson discussed with Ms. Eade the grants that are available from her organization. They commented on several civic projects that Stopwaste.org has funded with grants or technical support.

Mayor Sweeney thanked her for attending on behalf of Stopwaste.org.



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Mayor Sweeney closed the public hearing at 8:58 p.m.

Council Member Dowling recommended that as new developments come forward and when staff brings the residential bay friendly principles, that staff communicates these to landscape maintenance contractors who work on such developments. He commented on how the landscaping is maintained where he lives and the heavy use of leaf blowers. And that these developments are informed that their contractors consider replacing grass or lawns with bay friendly plantings.

Council Member Ward thanked Council Member Henson and the staff of Stopwaste.org. for bringing this forward. He asked whether the concept had been considered for the Burbank school site. Community and Economic Development Director Daluddung reported that those plans are in the works as bay friendly landscaping is included in the green building policies.

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

Introduction of Ordinance 08-_, "Ordinance Adding Article 20 to Chapter 10 of the Hayward Municipal Code Relating to Bay-Friendly Landscaping"

9. Review of FY 2004-05 – FY 2008-09 Implementation Plan for the Downtown Redevelopment Project

Staff report submitted by Redevelopment Director Bartlett, dated January 29, 2008, was filed.

Redevelopment Director Bartlett made the report, noting that this is a mid-term review and requirement of the State. This outlines the goals, potential projects and proposed spending. It is not a binding document, but a planning tool. No action is necessary. She responded to Council questions related to the housing credits, the need to produce affordable housing, the \$50,000 allocation to fund the banner program proposal that will assist the auto dealers on Mission Boulevard, and enumerated the various projects with the completion timelines. She reported that the parking projects in the downtown are complete. She noted several new projects, such as the Mayer properties.

Council/RA Member Henson asked about the gap in the funding of projects and was informed that it will take more time to fund all of the proposed new projects. He asked about the tables in the report related to the affordable housing credits. He asked how they were maintained. He also asked whether the banner program was included in this plan.

Redevelopment Director Bartlett stated that the credits go towards the Agency's requirement to produce 15% of those built in the Redevelopment Area affordable units. The current sixty credits can

be rolled forward. She also responded to his question related to the banner program that will assist auto dealers that will be brought forward for approval of the \$50,000 allocation.

Council/RA Member Ward asked if there are plans to re-do the mural on the west side of the parking structure and asked if that could be re-done. Redevelopment Director Bartlett stated that it is not included and was funded out of the City Manager's office.

Council/RA Member Quirk thanked staff for the report and commented that the Mika project and the update on the South Hayward BART Plan are his priorities.

Council/RA Member Dowling asked about the work priorities and the budgeting for 2009. He was concerned about the primary objectives and how the priorities are developed. He was not in favor of re-opening the South Hayward BART Conceptual Plan, but agreed with having a work session. He was satisfied with the process that was conducted and the final plan. He recognized that Mayor/Chair Sweeney has issues, but he did not desire to start from scratch.

Redevelopment Director Bartlett reported that the numbers are in order of magnitude in the report.

In regards to the Holiday Bowl site, Council/RA Member Dowling recommended that staff research the bowling industry and to present to Council whether there is a real interest in bowling and what other jurisdictions are building bowling centers. He thanked City Manager/Executive Director Jones and staff for the demolition of the Mayer Properties and asked about the remainder of the block. Staff is pursuing legal issues and land appraisals.

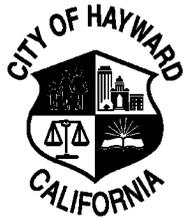
Community and Economic Development Director Daluddung reported that there may be some confusion on the priorities, but this report is a State requirement and follows the format of the current Implementation Plan.

Council/RA Member Halliday asked about the downtown retail attraction loan program and was informed that a loan was made to Teriyaki Express proposed for B Street. She commented on the ad hoc committee that she served on to install the murals in the downtown. She felt that the added second story on the parking garage impacted the look. One of her suggestions was to add art to future projects.

Council/RA Member Quirk agreed with Council/RA Member Dowling related to the bowling industry, but disagreed that the South Hayward BART Conceptual Plan process was a good plan. He felt that the process was rushed and it lacked funding for public safety. He also stated that there were questions as to whether or not there was sufficient demand for the retail in the area. He also commented that there was insufficient park land in the plan. He felt that it is necessary to have a new process.

Redevelopment Director Bartlett stated that it was her understanding that a work session will be held to discuss the scope of the work.

Council/RA Member Rodriguez stated that she was not on the Council when the South Hayward BART Conceptual Plan was adopted. She asked for the status of the purchase of the property by the historical society. Staff reported that the historical society may be preparing for a capital campaign and has currently deferred their re-location.



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Council/RA Member Henson asked whether funding can occur in areas outside of the downtown as South Garden or Tennyson where there are significant blighted areas with development potential, in particular as gateways to the City.

Redevelopment Director Bartlett stated that 80% of the funding is fairly confined to the Project Area except the 20% funding can be directed for affordable housing projects that can be used outside of the project area. She discussed a variety of efforts that could be utilized such as amending the project area.

Council/RA Member Henson encouraged that possibility. He commented on the poorly maintained infrastructure in the South Garden annexation from the County.

City Manager/Executive Director Jones cautioned that a proposed expansion of the Redevelopment Agency could be an impact to General Fund revenues.

Council/RA Member Henson urged staff to direct speculating and potential developers to the South Garden and A Street area.

Mayor/Chair Sweeney closed the public hearing at 9:32 p.m.

There was consensus to accept the report. No vote was taken.

COUNCIL REPORTS

Council Member Dowling reported briefly on the Commercial Center Improvement Committee meeting noting an update to the Southland Mall included adding 19 stores. He commented on the convenience center updates and interest in facing stores towards Hesperian. He commented on the Mall's use of focus groups and community surveys. He spoke on the improvements and the potential Sears improvements.

Mayor Sweeney thanked him for this report and commented on the need for road repairs on the private streets owned by the mall.

Council Member Henson reported that Hayward will receive a Corporate Sponsor of the Year award from West Coast Blues Hall of Fame. He noted that this is quite an honor as the competition included the Monterey Blues Festival. Mayor Sweeney is invited to attend a ceremony on March 29.th

Council Member Ward appreciated staff and asked Community and Economic Development Director Daluddung to discuss what occurred at the Commercial Center Committee meeting with regard to KGO and KSFO, coined "Hayward is Happening." Ms. Daluddung commented on the proposed public marketing to spotlight Hayward and to get corporate sponsors, both civic and corporate

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sponsorships. This will be a great opportunity to involve the Chamber of Commerce and for the economic vitality and livability of the City.

ADJOURNMENT

Mayor/Chair Sweeney adjourned the meeting at 9:40 p.m. announcing that the next Regular Meeting will be held on Tuesday, February 19, as next Tuesday is Election Day and there is a holiday on the subsequent Tuesday.

APPROVED:

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

ATTEST:

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