



**MINUTES OF THE SPECIAL CITY COUNCIL/  
REDEVELOPMENT AGENCY MEETING OF  
THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, May 25, 2010, 7:00 p.m.**

---

**MEETING**

The Special Meeting of the City Council/Redevelopment Agency was called to order by Mayor/Chair Sweeney at 7:00 p.m., followed by the Pledge of Allegiance led by Council/RA Member Quirk.

**ROLL CALL**

Present: COUNCIL/RA MEMBERS Zermeño, Quirk, May, Dowling, Henson  
MAYOR/Chair Sweeney  
Absent: COUNCIL/RA MEMBER Halliday

Mayor Sweeney noted that Council Member Halliday was not in attendance because her father passed away.

**PUBLIC COMMENTS**

Ms. Linda Bennett, Hayward resident and Library Commissioner, expressed her condolences for Council Member Halliday's loss. Ms. Bennett expressed appreciation of Council's funding support for the Library. She cited statistics for the programs/events provided through the Library and noted that they have been very successful.

Ms. Stephanie Ayala, Civic Avenue resident and Library Commissioner, thanked Council for the support for the Library and cited statistics about successful after school programs, which benefit the community.

Ms. Kelly Greenne, Sixth Street resident and Library Commissioner, encouraged Council to continue to fully fund the programs at the Library. Ms. Greenne spoke favorably of the Literacy Plus Program and the benefit to the community at large.

Ms. Judy Harrison, Morse Court resident, Friends of the Library President and Library Commissioner and volunteer, acknowledged the Council's continued support. Ms. Harrison noted that the Library provides a wide array of services for the community at large. On behalf of Friends of the Library, she thanked Council for their support. Council Member Zermeño thanked Ms. Harrison and the Friends of the Library for her support with this year's 5 de Mayo Festival. Council Member Quirk thanked the Library Commissioners for their participation.

Council Member Zermeño recommended that Council consider drafting language asking the state of Arizona to revisit its new immigration law due to the implications of racial profiling. Mayor Sweeney noted that since there were not four votes in favor, he suggested that Council Member Zermeño bring back the request when the full Council is present.

**DRAFT**

## **WORK SESSION**

1. City of Hayward and Hayward Redevelopment Agency Recommended Operating Budgets for Fiscal Year 2011 and Proposed Budgets for FY 2012 (*Report from Interim Finance Director Stark*)

Staff report submitted by Interim Finance Director Stark, dated May 25, 2010, was filed.

2. Capital Improvement Program FY11 – FY20 (*Report from Public Works Director Bauman*)

Staff report submitted by Director of Public Works Bauman, dated May 25, 2010, was filed.

City Manager David provided an overview of the various City's accomplishments under the Council's leadership. Ms. David provided an overview of revenue challenges and the plans to balance a two year budget. Interim Finance Director Stark gave a synopsis of the proposed budgets for FY2011 and FY2012. Public Works Director Bauman gave an overview of the Capital Improvement Program (CIP) for Fiscal Year 2011 through Fiscal Year 2020. City Manager David noted that staff was available to answer questions.

In response to Council Member Quirk's inquiry regarding the reserve and contingency funding shown in the report on Page 13 under Reserved and Designated Fund Balance (FY2008-2012), City Manager David explained that this fiscal year funds were moved from contingency funds into liquidity and economic uncertainty to be able to reach Council policy levels. In reference to Mr. Quirk's question, Interim Finance Director Stark noted that sales tax is reflected in the Real Estate Property Transfer Tax and that the 3.6% property tax is a reflection of an overall increase in revenue that includes secured and unsecured property taxes.

Council Member Henson asked about the impact on the City of an unsuccessful court case in which it was ruled legal for the State to takeaway Redevelopment funds. Redevelopment Director Bartlett stated the impact to the Redevelopment Agency for FY 2010 was \$4.4 million and \$909,000 for FY2011. Mr. Henson referred to the General Fund Summary in the report and expressed concern about the decrease in General Fund Reserves for 2012 and noted the need for a plan in 2013 and beyond. City Manager David noted that staff is working diligently to address the structural deficit and to restructure liabilities. In response to Mr. Henson, Ms. Stark explained the purpose of setting up an internal services fund for Retiree Medical Benefits and ensure that the costs are charged to the appropriate departments.

Council Member Zermefio commended Finance for the work done and showed support for the Office of the City Clerk conducting a feasibility study on issuing marriage licenses to generate revenue and add more public services. In response to Mr. Zermefio's inquiry about the Enterprise Funds for Water and Wastewater, Public Works Director Bauman indicated that Enterprise Funds are ten year forecasts. Mr. Bauman indicated the major factor for water is the increase in the amount to be paid to the San Francisco Public Utilities Commission (SFPUC). Mr. Bauman



**MINUTES OF THE SPECIAL CITY COUNCIL/  
REDEVELOPMENT AGENCY MEETING OF  
THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, May 25, 2010, 7:00 p.m.**

commended the Airport for generating additional revenue. Mr. Zermeño acknowledged the City's nine unions for their help with the budget.

Council Member Dowling inquired about the Internal Services Fee. Interim Finance Director Stark indicated that it is designated under Expenditures and is called Service Fees for each department.

Mayor Sweeney, in concurrence with Council Members, reviewed the proposed budget department by department.

City Attorney Lawson agreed with Council Member Henson that the City Attorney's Office spent an increased amount of time on the Rental Inspection process.

City Clerk Lens confirmed for Council Member Dowling that marriage ceremonies would be conducted during the day in the rotunda. Mr. Dowling requested that domestic partner ceremonies should be researched. City Clerk Lens confirmed for Council Member Henson that Council materials will be available on flash drives upon request after the August Council recess.

In response to Council Member May, City Manager David indicated that she plans to have an Assistant City Manager by September 1, 2010.

Council Member Henson asked what positive outcomes have resulted from the implementation of the Permit Center survey cards. Director of Development Services Department Rizk said that from over 800 survey cards submitted, 97% have been positive responses. Council Member Zermeño acknowledged Planning Manager Patenaude and Director of Development Services Department Rizk for the Historic Preservation Program. Mr. Zermeño said he thought it was an improvement to incorporate the multiple permit application into one application form.

Council Member Quirk recognized Interim Finance Director Stark for a job well done. Mr. Quirk mentioned the \$3.5 million that is needed for the finance software that this software affects the City as a whole and supports the software. Council Member May indicated that staff needs to work on having a one-stop department where prospective patrons can apply and pay for business licenses. Council Member Henson asked staff when the Environmentally Preferred Purchasing (EPP) policy will be in place. City Manager David indicated staff would like to form a committee to review and ensure that the City is complying fully with the proposed EPP policy. In response to Council Member Zermeño's inquiry, Interim Finance Director Stark noted that the differences between the 2008 and 2009 retirement benefits was that funds were utilized to pay for retirement packages that the City offered to employees as a retirement incentive.

In response to Council Member Zermeño inquiry, Public Works Director Bauman said that funding is needed for Fire Station 7 and noted that a grant is currently being sought. Mr. Bauman confirmed for Mr. Zermeño that the amount needed is \$6 million. In response to Council Member Dowling's inquiry about the County's new ambulance service, Fire Chief Bueno explained the process and that

the service is independent from the Fire Department. Chief Bueno noted that the Fire Department endorsed the recommendation and spoke about the new ambulance vendor and that this will be a significant improvement for patient survivability.

Fire Chief Bueno confirmed for Council Member Quirk that the Fire Department has been able to implement the City's Community Emergency Response Training (CERT) training at no cost. In response to Council Member Henson inquiry about disaster preparedness in terms of resources and preparation, Fire Chief Bueno mentioned there are two elements, the sworn and the civilian. In regards to the civilian preparedness, Mr. Bueno mentioned the CERT program and the disaster preparedness website. Chief Bueno explained that disaster preparedness for sworn officers depends on grants and noted that grant applications are currently in progress.

In response to Council Member May's inquiry about the current payroll system, Interim Finance Stark responded that when funding is available, the financial system project will do away with the manual payroll system.

In response to Council Member Dowling's inquiry about the increase in Worker Compensation Expense, Human Resource Director Robustelli explained part of the increase is from the increase in payroll and that the City experienced higher losses. Ms. Robustelli noted that the Retiree Medical Benefits is an internal service fund. Ms. Robustelli confirmed for Council Member Henson that staff training will continue. Council Member May reiterated her concerns about the archaic manual time card process and suggested that future Council focus on what needs to be done for the City.

Council Member Quirk commended the Library Commissioners and noted that the Library is the outreach to the community and applauded the Library for being seen as a commercial enterprise and noted the improvements that have occurred over the past four years. Mr. Quirk spoke about the Library applying for grants and being a great model in how to serve the market and the public. In response to Council Member Dowling's inquiry about the Fines Free Program, Library and Community Services Director Reinhart said that the Library is finishing the testing mode of the program and the public launch will be in July in conjunction with a Fines Amnesty Program tied to a food drive. In response to Council Member Henson, Mr. Reinhart spoke about the success of the Afterschool Homework Center and noted that the approximately \$250 million was from the Department of Education. Mr. Reinhart mentioned that the program is closing out its second year and is supported entirely by grant funds and has over 50 volunteer tutors. In response to Council Member Quirk's inquiry regarding the decrease in paratransit funds, Library and Community Services Director Reinhart said staff is researching a flex shuttle model for the paratransit services.

Maintenance Services Director McGrath confirmed for Council Member May the plans to deconstruct Centennial Hall. Mr. McGrath confirmed for Council Member Henson that there are escalating costs with the older fleet and that the hybrid vehicles help to reduce costs and staff is continuing to research cost savings by looking at hybrids and new technology in other vehicles. Mayor Sweeney commended the work that Maintenance Services does in conjunction with the Keep Hayward Clean and Green Task Force.

In reference to the Mayor and Council section of the budget, Council Member Quirk commented that performance measures should be included and suggested a work sessions in the fall to obtain



**MINUTES OF THE SPECIAL CITY COUNCIL/  
REDEVELOPMENT AGENCY MEETING OF  
THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, May 25, 2010, 7:00 p.m.**

suggestions from staff. Mayor Sweeney concurred with Council Member Quirk's comments and added it is important to focus on Council's priorities and setting timelines for the completion of priorities. Council Member May suggested that Council focus on City of Hayward centered issues, and as performance measures, Council Members should attend more neighborhood partnership meetings and spread the workload. As far as protection of local revenues, she said Council needs to lobby Sacramento in person. She also suggested having a City Council/Hayward Unified School District Joint meeting monitored by a neutral person. Council Member Henson noted that Council Members need to have more annual sessions on economic stability and work with staff to support suggestions and real time action.

Council Member Quirk commended Police Chief Ace for his exceptional work. In response to Mr. Quirk's comments about the need to change the culture to resolve the increased gang violence, Police Chief Ace spoke on this topic indicating that it will take the involvement of different agencies to work on this issue. In response to Council Member May's inquiry about the nine officers hired through a grant from the federal government, Police Chief Ace said that there are funds in reserve that can be used for the fourth year and hoped to be able to maintain the same level of staffing in the future.

In response to Council Members Henson, Chief Ace explained the efforts being made by the Gang Injunction Unit and spoke about the unique problem with gangs in all areas of the City and that it will be beneficial to be able to design a program specifically for Hayward. Police Chief Ace shared Council Member Henson's goal about working toward an enhanced partnership with Bay Area Rapid Transit (BART) and mentioned that he is looking forward to meeting the new BART Chief. Mr. Dowling commended the Police Department in obtaining both state and federal funds and asked that Council be kept updated on these efforts. Council Member Zermeño commented on the visible increase in gang members and Chief Ace noted the dangers of being mistaken as a gang member by opposing gangs. Chief Ace said it takes experienced officers to be able to ascertain a gang member.

Public Works Director Bauman confirmed for Council Member May that there is a Styrofoam ban that will be discussed in July at the Sustainability Committee meeting. Council Member Henson commended Public Works Director Bauman and staff for an excellent job. Discussion ensued between Mr. Henson and Mr. Bauman about the disposal of green waste.

Council Member Quirk thanked Public Works Director Bauman for finding ways to support the General Fund and appreciated Mr. Bauman's efforts with the formation of the Maintenance Department. Council Member Zermeño thanked Public Works Director Bauman for the proposals to ban plastic bags and other single use bags.

In response to Council Member Henson's inquiry about social networking, Technology Services Director Priest talked about the three social networking sites that will help the City reach a larger numbers of constituents. Mr. Priest spoke about the implementation of the Microsoft SharePoint

system for internal use. Mr. Priest said the reason behind the major reduction in internal service fees is the City will be making the final payment on the Voice Over Internet Protocol System in September. Mr. Priest mentioned cleaning up the billing system from AT&T to ensure that the City only pays for what is needed and noted the result will be a reduction in costs. Council Member Zermeño thanked Technology Services Director Priest for working with Chabot College. Mr. Priest talked about the work being done with Chabot College in regards to establishing a Public and Education and Government (PEG) television system with a State franchise.

In response to Council Member Dowling's inquiry about the smart water meters, Public Works Director Bauman talked about the process of studying and evaluating the implementation of the smart water meters throughout the City. In regards to the 880/92 Reliever Route Project, Mr. Bauman explained to Mr. Dowling that as a result there will also be improvements to the Winton Corridor, specifically at Hesperian/Winton and noted that ACTIA will be discussing this item with their board and staff and should have approval soon. Mr. Dowling noted Mr. Bauman's advocacy to obtaining the funds for this project.

Council Member May inquired about the possible consolidation of some Boards, Commissions and Task Force and suggested that Council needs to be involved in this process. Ms. May suggested that the Council Downtown Committee (CDC) needs to be consolidated with the Downtown Business Improvement Advisory Committee (BIA). She suggested cost savings by reducing the number of street sweeping days to one a month. City Manager David responded that staff is reviewing the consolidation along with other items that will be brought forward for Council's consideration in the fall.

Council Member Henson commended Budget Administrator Blohm for her hard work and dedication. City Manager David also acknowledged the hard work and leadership of Interim Finance Director Stark, Human Resources Director Robustelli and Public Works Director Bauman. Ms. David thanked the Finance Department staff for their hard work and dedication.

## **COUNCIL REPORTS**

Council Member Henson spoke favorably of the Central Alameda County Freeway Study Policy Advisory Committee meeting for Local Alternative Transportation Improvement Program (LATIP) funds for the Route 238 Corridor Improvement project, which was held at City Hall on May 24, 2010. City Manager David acknowledged Public Works Director Bauman's successful participation in securing LATIP funds.

## **ADJOURNMENT**

Mayor/Chair Sweeney adjourned the meeting at 10:03 p.m., in memory of Mr. Hank Maschal, former owner of The Book Shop on B Street. Mayor Sweeney also mentioned that Council's prayers were with Council Member Halliday for the passing of her father, Herbert Halliday. Mr. Halliday was born in Delaware, served in the U.S. Army during World War II, had a successful railroad career, and was a fan of the Philadelphia Phillies baseball team. Mayor Sweeney asked staff to work with Council Member Halliday to find an appropriate location to plant a tree in his memory.



**MINUTES OF THE SPECIAL CITY COUNCIL/  
REDEVELOPMENT AGENCY MEETING OF  
THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, May 25, 2010, 7:00 p.m.**

---

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
Miriam Lens, City Clerk, City of Hayward  
Secretary, Redevelopment Agency

**DRAFT**