



**MINUTES OF THE SPECIAL CITY COUNCIL/  
REDEVELOPMENT AGENCY MEETING OF  
THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, June 1, 2010, 7:00 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 7:00 p.m., followed by the Pledge of Allegiance led by Council/RA Member Halliday.

**ROLL CALL**

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

**PRESENTATION Business Recognition Award - Safeway**

The City of Hayward presented the Business Recognition Award for June 2010 to the two Hayward Safeway Stores, one on West Jackson and one on Foothill Boulevard. Safeway was awarded in recognition of the contributions made to the community by: locating two stores in Hayward to serve the community; providing job opportunities to local residents; being an industry leader; providing charitable contributions to the community; and contributing to the overall economic well being of the Hayward community. Foothill Store Manager Richard Arante and Jackson Store Manager Jerry Zaragoza accepted the award on behalf of Safeway.

**PUBLIC COMMENTS**

Mr. Jim McMasters, Director of Retail with Colliers International and agent for Blake Hunt Ventures, owners of Cinema Place Center, spoke about the discussions with the Hayward Arts Council regarding tenancy at the shopping center. Mr. McMasters gave an update for Council Member Dowling about the pending opening of a Japanese restaurant at the center. Mr. McMasters projected for Council Member Henson that full retail recovery will take two to three years.

Ms. Gail Lundholm, President of the Hayward Arts Council, spoke about submitting three grant proposals to the Community Promotion Program. Ms. Lundholm confirmed for Council Member Quirk that the \$5,000 requested should be adequate funds to set-up the art gallery for three months at Cinema Place Center. In response to Council Member Zermefio's inquiry, Ms. Lundholm said the proposed opening is projected for the end of July. In response to Council Member Henson, Ms. Lundholm said that there should be increased patronage and exposure by the art gallery being situated on B Street.

Ms. Valerie Caveglia, Sun Gallery Director, invited Council and attendees to three shows that are currently showing at the Sun Gallery and also to an artist reception on Saturday, June 5, 2010. Ms.

**DRAFT**

Caveglia thanked Council and the Community Promotion Program through the Economic Development Committee for the continued support and requested consideration of the grant request.

Mr. Andy Wilson, Greenbrier Lane resident, spoke about an appeal before the Environmental Appeals Board in Washington, D.C, involving Calpine and Cal Pilots.

Mr. Herb Witt, Lebanon Street resident and South Hayward Lions Club representative, announced that the 47<sup>th</sup> Annual Old Fashioned 4<sup>th</sup> of July Festival will be held at the BART lot between A and B Streets and is sponsored by BART and the South Hayward Lions Club. Mayor Sweeney clarified for Mr. Witt the membership makeup of the Economic Development Committee and noted that the committee made recommendations and the final consideration for the grant proposal will be made by Council.

Ms. Lolita Morelli, Oakland resident and Hayward Municipal Band Manager, informed Council that the band has been able to practice and store equipment at the Fairway Park Baptist Church. Ms. Morelli announced Concerts in the Park on Sundays at 2:30 pm, from June 20 to July 25, at the Tony Morelli Bandstand Memorial Park. Ms. Morelli thanked Council for their continued support.

Ms. Carol Morgan, Mallard Court resident, representing the Youth Orchestra of Southern Alameda County (YOSAC), thanked the City for its support. Ms. Morgan explained the purpose of YOSAC whose mission is to supplement the school music programs and described how the organization has been able to utilize the grant funds. Ms. Morgan noted that YOSAC is an asset and a source of pride for the City.

Mr. Frank Goulart, with business address on Main Street, mentioned that according to a study, the GPA of high school students participating in a music class was significant higher than those without and therefore encouraged Council to support YOSAC. Mr. Goulart also expressed support for the Zucchini Festival and urged Council to allocate more funds for the Festival.

City Clerk Lens reminded Mayor Sweeney, Council Members and the community that the City of Hayward has a municipal election on Tuesday, June 8<sup>th</sup> and noted that election polls will be open from 7:00 a.m. to 8:00 p.m. Ms. Lens noted that the Office of the City Clerk will also be open from 7:00 a.m. to 8:00 p.m. to answer any questions.

Mr. Ronnie Stewart, Oakland resident and Blues Festival representative, mentioned the Santa Cruz Blues Festival costs \$75 per day and Hayward Russell City Blues Festival costs \$15 in advance and \$20 at the gate, which is more affordable for the community. He said an important aspect to consider was that the Festival is costly and funding of the grant could help make the Festival community accessible. Mr. Stewart thanked Council for their continued support.

## **WORK SESSION**

1. Update on Permit Center and Development Review Process Improvements (*Report from Director of Development Services Rizk*)



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Staff report submitted by Senior Plan Checker Osborne and Building Official Martinez, dated June 1, 2010, was filed.

Development Services Director Rizk gave a synopsis of the report.

Council Member Henson was pleased to see that technology options are being considered to improve permit processes. Mr. Henson suggested having permit process information on handouts and computers available at the Weekes Library as a form of outreach to the community. Mr. Henson suggested having a member of the community as part of the Development Review Process "Focus Group." In response to Mr. Henson, Mr. Rizk provided the process for obtaining a permit. Mr. Rizk mentioned that the City is researching a comprehensive computer system that will link the Permit Tracking System to Human Resources and the Finance system.

Development Services Director Rizk confirmed for Council Member Halliday that the Permit Center now accepts credit card as a form of payment and also noted that current information will be updated on the City's website in the Fall. Ms. Halliday was hopeful that resources can be found for the needed technology. Mr. Rizk and Ms. Halliday discussed options for the scanning of the backlogged documents and there was agreement to go with a paperless system.

In response to Council Member Zermefio's inquiry about processing online permit applications, Development Services Director Rizk noted that permits not requiring plans can be done online and permits requiring plan check review and are more complex require the individual to apply in person. Mr. Zermefio shared a letter from a developer expressing how pleased he was with the service he received in the Permit Center. Mr. Zermefio expressed how important the Permit Center's customer service is for the City to attract new businesses.

Council Member Quirk thanked staffed for the report and mentioned that the computers at the libraries are fully subscribed.

**2. Community Promotion Program Recommendations (*Report from Economic Development Manager Brooks*)**

Staff report submitted by Economic Coordinator Porfido, dated June 1, 2010, was filed.

Economic Development Manager Brooks gave a synopsis of the report and acknowledged the applicants present. Mayor Sweeney noted that according to the Economic Development Committee, there was interest in funding the Cinema Place Art Display and noted the committee was open to suggestions.

Council Member Quirk asked if the Hayward Lions Club would be able to carry on the Fourth of July Celebration if they do not receive the funding requested. Mr. Herbert Witt, representing the

South Hayward Lions Club, indicated that if funds are not available, there is a possibility that other programs will suffer. Mr. Witt explained for Mayor Sweeney that the \$5,000 dollars goes into a bank that the Lions Club draws from for programs and events and noted that the Fourth of July event was moved to the BART lot because it is free.

Economic Development Manager Brooks confirmed for Council Member Halliday that the Cinco de Mayo, Martin Luther King, Veterans Day, and the Hayward Volunteer Recognition Dinner will be funded separately. Ms. Halliday suggested that the South Hayward Lions Club can charge for the meals provided at the Fourth of July Celebration. Ms. Halliday encouraged organizations to seek other revenue resources and to be more efficient. Council Member Halliday supported funding the Cinema Place Art Display and, in brainstorming other revenues options, she received confirmation from Redevelopment Director Bartlett that the Redevelopment Agency already contributes significantly to the Community Promotions Program. Ms. Halliday asked why staff did not recommend funding the Cinema Place Art Display. Mr. Brooks explained this was the first year the Cinema Place Art Display came before the Economic Development Committee and without historical information, staff thought best to fund existing programs. City Manager David added that there was not an agreement with Blake Hunt Ventures in place during the time the Cinema Place Art Display was brought before the Committee.

Council Member Dowling acknowledged Council Member Zermefio for bringing forward the idea of the Cinema Place Art Display. He noted that the \$5,000 dollars for the Cinema Place Art Display would be a good use of funds for the purpose of retail attraction and recognized the positive work performed by the Hayward Arts Council. Mr. Dowling recommended that the Cinema Place Art Display be funded.

Council Member Henson concurred with Council Member Dowling regarding the Cinema Place Art Display being positive for retail attraction and with Council Member Halliday in encouraging the Lions to charge for meals at the Fourth of July Celebration. In response to Mr. Henson's inquiry, Mr. Rich Essi, representing the Zucchini Festival, explained the costs come from vendors, the City, and the sponsorship of South Hayward Lion's Club. He mentioned that the Zucchini Festival brings in \$5,000 to \$9,000 dollars of tax revenue by increased business for the City. Mr. Henson noted that there are no additional funds and agreed with staff and the Economic Development Committee recommendations.

Council Member Zermefio noted the Fourth of July Celebration and Zucchini Festival both have high attendance and noted that one of Council's priorities is to improve downtown attendance and therefore supported the Cinema Place Art Display.

Council Member May mentioned this is the second year the Community Promotions Program has gone through the Economic Development Committee and said she would like to see how funding these groups promotes economic development. Ms. May noted one agency serves a small percentage of Hayward residents. Ms. May would like to see a more measurable level of self sufficiency and an emphasis on holding events in the City of Hayward. Ms. May gave examples of how funded groups could be more efficient and suggested that promotional brochures, now that are provided by the City, should be funded by either business sponsors and/or should promote City programs such as ACCESS Hayward. Ms. May suggested taking another look at how the monies



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could be better distributed to promote economic development. She said she would like to see more funds made available for the Zucchini Festival with the provision that improvements are made to the posters and tickets because marketing is very important for events. Ms. May recommended that events that are currently being held outside of the City limits should utilize City Hall Plaza, reiterating there needs to be a measurable return on the City's investment otherwise it ceases being an economic development and could instead be perceived as philanthropy.

City Manager David clarified for Mayor Sweeney that the Community Promotion Program recommendations will be coming back to Council as part of the Budget in the General Fund area. Ms. David also confirmed for Mayor Sweeney that if there are any changes to the allocations, they would need to be brought forth at the June 22, 2010 Council meeting.

Economic Development Manager Brooks clarified for Council Member Dowling that staff concurs with the Economic Development Committee recommendations. Mr. Dowling expressed support for them as well.

### **CONSENT CALENDAR**

Consent Items five, six and eight were removed for further discussion.

3. Approval of Minutes of the City Council Meeting on May 18, 2010

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to approve the minutes of the Hayward City Council Meeting of May 18, 2010.

4. Pavement Reconstruction FY11 – Grove Way, Havana Avenue, Lilac Avenue, Portsmouth Avenue, Rockford Road, and Sorenson Road: Approval of Plans and Specifications and Call for Bids

Staff report submitted by Deputy Director of Public Works Fakhrai, dated June 1, 2010, was filed.

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

Resolution 10-071, "Resolution Approving Plans and Specifications for the Pavement Reconstruction FY11 – Grove Way, Havana Avenue, Lilac Avenue, Portsmouth Avenue, Rockford Road and Sorenson Road Project, Project No. 5111, and Call for Bids"

5. Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13 – Preliminarily Approve the Engineer’s Report and Levy Assessments for Fiscal Year 2011, and Set July 20, 2010, as the Public Hearing Date for Such Actions

Staff report submitted by Development Review Engineer Nguyen, dated June 1, 2010, was filed.

In response to Council Member Quirk’s concern that Zones 4 and 5 do not have adequate funding, Public Works Director Bauman noted that level of landscaping would decline and added that currently the districts are able to be maintained but that at some point in the future it will become a challenge. Mr. Quirk stressed that it is important for staff to work with the residents in those neighborhoods.

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

Resolution 10-073, “Resolution Preliminarily Approving Engineer’s Report, Declaring Intention to Levy Assessments for Fiscal Year 2011 for Zones 1-13, and Setting July 20, 2010, as the Public Hearing Date Concerning Consolidated Landscaping and Lighting District No. 96-1, Zones 1-13”

6. Maintenance District No. 1 – Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane - Preliminarily Approve the Engineer’s Report and Levy Assessments for Fiscal Year 2011, Adopt a Resolution of Intention and Set July 20, 2010, as the Public Hearing for Such Actions

Staff report submitted by Development Review Engineer Nguyen, dated June 1, 2010, was filed.

In response to Council Member Quirk’s concern with flooding, Public Works Director Bauman stated the main concern is what happens when the pumps need to be replaced and there is not sufficient money in the account. Mr. Bauman referred to the 1995 agreement between the City and Alameda County Flood Control and Water Conservation District (Flood Control) and noted resources were not set-up to establish a reserve fund for replacing the pumps.

Council Member Halliday commented on the good condition of the Stratford Village landscaping and spoke about the need for community education in regards to what happens if the pump station fails. Public Works Director Bauman noted that if the pump station fails, the City is the owner and therefore would be responsible.

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



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Resolution 10-074, "Resolution Preliminarily Approving Engineer's Report, Declaring Intention to Levy Assessments for Fiscal Year 2011, and Setting July 20, 2010, as the Public Hearing Date Concerning Maintenance District No. 1 – Storm Drainage Pumping Station and Storm Drain Conduit – Pacheco Way, Stratford Road, and Ruus Lane (MD No.1)"

7. Maintenance District No. 2 – Eden Shores Storm Water Facilities and Water Buffer - Preliminarily Approve the Engineer's Report and Levy Assessment for Fiscal Year 2011, Adopt a Resolution of Intention and Set July 20, 2010, as the Public Hearing for Such Actions

Staff report submitted by Development Review Engineer Nguyen, dated June 1, 2010, was filed.

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

Resolution 10-072, "Resolution Preliminarily Approving Engineer's Report, Declaring Intention to Levy Assessments for Fiscal Year 2011, and Setting July 20, 2010 as the Public Hearing Date Concerning Maintenance District No. 2 – Eden Shores Storm Water Facilities and Water Buffer (MD No. 2)"

8. Authorization for the City Manager to Execute a Professional Services Agreement to Perform Preliminary Engineering Investigation and to Prepare Design-Build Proposals to Upgrade the Co-generation System at the Water Pollution Control Facility

Staff report submitted by Deputy Director of Public Works Ameri, dated June 1, 2010, was filed.

Mr. Andy Wilson, Vice-President of Citizens Against Pollution (CAP), applauded the City for pursuing this project and that it will reduce the City's greenhouse gases and carbon footprint. Mr. Wilson stated that this is a start and encouraged Council to continue pursuing more projects mentioning solar panels could be utilized at the Hayward Executive Airport and other sites.

Council Member Henson mentioned his support for the Digesters and noted that the co-generation project is a great asset to the City and a good starting point.

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

Resolution 10-075, "Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Carollo Engineers to Perform Preliminary Engineering Investigation and to Prepare Design-Build Proposals to Upgrade the Co-Generation System at the Water Pollution Control Facility, Project No. 7651"

9. Approval of Modified Terms of Loan for Affordable Housing Predevelopment Costs Related to the South Hayward BART Station Transit-Oriented Development Project

Staff report submitted by Project Manager DeClercq, dated June 1, 2010, was filed.

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

Redevelopment Resolution 10-10, "Authorize the Executive Director to Negotiate and Execute a Loan Agreement with Eden Housing, Inc. for Predevelopment Costs Related to the Planning and Design of Affordable Housing at the South Hayward Bart Station Transit-Oriented Project"

## **PUBLIC HEARING**

10. Historic Preservation Program including Repealing and Replacing Article 11 of Chapter 10 of the Municipal Code, Historic Preservation Ordinance; and approving a Historical Resources Survey and Inventory; a Historic Context Statement, Goals and Objectives for Historic Preservation and Incentive Programs *(Report Continued from May 18, 2010 Council Meeting)*

Staff report submitted by Planning Manager Patenaude, dated June 1, 2010, was filed.

Development Services Director Rizk noted that this item was continued from May 18, 2010 and the report addressed Council's concerns. Planning Manager Patenaude noted that in response to Council's concerns, a memo was provided before the meeting, which addressed an amendment to Section 10-11.050 of the Hayward Municipal Code, which is available in the Office of the City Clerk. Mr. Patenaude also noted that staff recommends that the ordinance retain the fifty-year review requirement. He added that in regards to the Mills Act Property Tax Abatement Program, staff recommendation is to lift property specific caps but retain the overall \$200,000 cap for the program in response to the current economic condition of the City and rated that the amount can be changed by resolution in the future.

Council Member Quirk noted that he was in receipt of an inquiry from an apartment owner and asked how quickly an exemption can be processed and how newer buildings will be handled. Mr. Patenaude said that the ordinance provides language for alterations of historic properties and



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explained the process. Mr. Patenaude mentioned that the data from the intensive survey will be incorporated into the GIS system to allow Planning and Building departments to have access to data and enable a plan checker to make determinations. Mr. Patenaude noted that for structures outside of the survey area, specific staff members will be able to make judgment decisions. Mr. Quirk expressed concern that more specific guidelines will be needed for determinations that go beyond the expertise of the plan checker. Mr. Patenaude described the data available to staff through the survey reports and context statements that will give staff guidance as to what types of properties are important to preserve in the City. Development Services Director Rizk noted that the proposed ordinance has guidelines to aid in the evaluation process. Mr. Quirk noted that those were areas of implementation and was supportive of the proposed changes.

Council Member Zermefio thanked Planning Manager Patenaude.

Planning Manager Patenaude clarified for Council Member Henson that the cap of lost revenue amount of \$200,000 would be cumulative of all property tax savings.

Council Member Quirk asked if the \$200,000 should be indexed to inflation to avoid reviewing the amount every year. City Manager David responded that the \$200,000 is dependent on the economy and that this would come back to Council on an as-needed basis for adjustment. Mr. Quirk asked that when the limit is reached that the item be brought back to Council for discussion.

Mayor Sweeney opened the public hearing at 9:06 p.m.

Mr. Andy Wilson, Greenbrier resident, noted that the revenue stream related to the proposal should be considered. He noted that photos of the historic buildings should be on the City's website to showcase Hayward to attract commercials and movies as potential revenue sources.

Mr. Frank Goulart, with business address on Main Street, supported the proposed changes. Mr. Goulart suggested surveying the remaining areas of the City and he recommended the creation of a Historic Commission. Mr. Goulart also suggested Prospect Hill as a historic district prior to Upper and Lower B Street due to the available research data on the residences on Prospect Hill. Mr. Goulart offered his help toward this effort.

Mayor Sweeney closed the public hearing at 9:12 p.m.

Mayor Sweeney noted that Council Member Quirk's concern regarding apartment buildings and asked if Council would like to move forward and solve the apartment building issue at a later date or continue the item to resolve the issue.

Council Member Quirk noted that the concern was a question of implementation and that current guidelines will require judgment by plan checkers and they may not have the necessary background to make determinations. Mr. Quirk suggested that staff come back to Council with a

report on how this issue can be resolved. Planning Manager Patenaude said there is some level of judgment with historic preservation and reiterated that the data from surveys, survey reports, and the context statements will be incorporated into the Geographic Information System (GIS). City Manager David suggested going forward with the proposed ordinance and directed staff to come back to Council in six months with a status report on the Historic Preservation Program and its implementation. Mr. Quirk and Mr. Sweeney were agreeable with staff coming back in six months with a status report.

Council Member Halliday made a motion to determine that the Historic Preservation Program is exempt from CEQA, accept the Historic context statement and the Historical Research Survey and Inventory, resolve to participate in the Mills Act Program, approve the goals and objectives for Historic Preservation, and introduce the Historic Preservation Ordinance with an amendment to Section 10-11.050 and a recommendation for staff to come back with a report in six months as part of the implementation process.

Council Member Quirk seconded the motion.

Council Member Henson agreed with the six month status report as a good implementation strategy and supported the motion.

Council Member Zermeño expressed support for the establishment of an informal Historic Committee and noted that he would like to be part of it.

Council Member Quirk mentioned that the Mark Historical Commission could be used for this purpose and as additional historical areas are established, the Commission could be expanded to include the new areas. Mr. Quirk proposed that the motion be amended to include that when the \$200,000 limit is reached, staff bring the item back to Council. Council Member Halliday accepted the addition.

Planning Manager Patenaude confirmed for Council Member Dowling that the Mark Historic Commission is no longer active. Mr. Dowling suggested the Planning Commission hold quarterly meetings to review the Historic Preservation Program as needed. Mr. Patenaude noted that the Planning Commission is designated as the review board. Mr. Dowling added to Council Member Halliday's comments that other areas, such as both Shafer Park and Park Mead, are over fifty years old.

It was moved by Council Member Halliday, seconded by Council Member Quirk, and carried unanimously, to adopt the following with an amendment to Section 10-11.050, a recommendation for staff to come back with a report in six months as part of the implementation process, and when reduction in property taxes reaches the \$200,000 annual cap, Council should be presented with a report.

Resolution 10-076, "Resolution Finding that the Project is Categorically Exempt from CEQA Review and Approving the Historic Preservation Program"



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Introduction Ordinance 10-\_\_, "Ordinance Repealing and Replacing Article 11 of Chapter 10, Historic Preservation Ordinance, of the Hayward Municipal Code"

**LEGISLATIVE BUSINESS**

**11. Downtown Business Improvement Area Annual Report and Proposed Budget for FY 2011  
(Report from Redevelopment Director Bartlett)**

Staff report submitted by Interim Finance Director Stark, dated June 1, 2010, was filed.

Redevelopment Director Bartlett provided a synopsis of the report.

In response to Council Member Henson's inquiry regarding the proposal to eliminate the lighting of the trees at the Light Up the Season event, Redevelopment Project Manager Ortega and staff member to the Downtown Business Improvement Area (DBIA), provided background for the lights. Ms. Ortega thanked Council Member Quirk and the Rotary for help with the lights last year. Ms. Ortega mentioned that year-round lights would require professional installation and proper maintenance every three months to prevent injury to the trees. Ms. Ortega reported that the DBIA decided with the limited budget and reluctance to utilize budget reserves, to eliminate the funding for the lights. Ms. Ortega said an alternative would be to purchase decorative lighting for the main intersections in the downtown area to create entry into B Street. Mr. Henson supported having the lights year round. Ms. Ortega confirmed for Mr. Henson that there is ongoing discussion between the DBIA and the Redevelopment Agency regarding digital signs. City Manager David clarified that there are ongoing discussions with Cinemark for a digital sign that would only be for the theater and that the desire is there for a marquee that would announce City events but noted there is a current lack of funding. Mr. Henson noted that once funding is established a digital sign would be asset to the City.

Council Member Dowling said he would like to see digital signs for Cinemamark and City events and suggested utilizing the Centennial Hall sign. Redevelopment Project Manager Ortega said that staff will research Centennial Hall if the sign is still there. In response to Mr. Dowling's inquiry regarding the request for banner hardware to be funded by the Route 238 project, Public Works Director Bauman noted staff will research the request. Mr. Dowling mentioned that all banner hardware needs to be consistent.

Redevelopment Project Manager Ortega confirmed for Council Member May that the cost to maintain the tree lights will be \$20,000 to \$40,000 dollars and there are approximately 500 businesses that contribute to the DBIA. Ms. May suggested reviewing the \$17,000 expense for publications as she did not see it as a good investment. She also did not support the marquee but instead suggested better utilization of the City's website. Ms. May recommended that staff explore

adding a page to the “Hayward Open for Business.org website” and noted this could be done at minimal cost.

Council Member Zermefio said he supported the suggestions for the electronic signs and would like to see funds allocated for the lights. He suggested staff utilize Public Works Director Bauman as a resource.

Mayor Sweeney opened the public hearing at 9:44 p.m.

Mr. Brian Schott, representing the Hayward Chamber of Commerce, indicated that if the City does not raise enough funding, the Chamber would like to sponsor the Memorial Day event at Lone Tree Cemetery. Mr. Schott mentioned that the Chamber is requesting to move the Light Up the Season to Friday night and Saturday day and the September Street Party to Saturday from 11:00 a.m. to 3:00 p.m. Mr. Schott also mentioned he will be researching the City of Camarillo’s lighting set-up to see if this could be an option for Hayward.

Council Member May said there should be better coordination between the Chamber of Commerce, the BIA, and the City. In response to Ms. May’s comment, Mr. Schott noted that the Chamber is involved with putting on and promoting events, such as the Street Parties and Light Up the Season. He spoke about working with Economic Development Manager Brooks and staff to encourage people to come downtown, patronize businesses, and attend events.

Council Member Zermefio thanked Mr. Schott for the positive work. Mr. Schott agreed with Mr. Zermefio that businesses affected by the Route 238 construction will need assistance to alleviate any disruption.

Mr. Schott described for Council Member Halliday the lighting set-up at the City of Camarillo and that perhaps the park at the Library could be an option for a lighting display. Ms. Halliday spoke favorably about how the lights create a warm and inviting atmosphere and hoped that more funds can be found in the future.

Mayor Sweeney closed the public hearing at 9:52 p.m.

Council member Quirk made a motion per staff recommendation. Council Member Zermefio seconded the motion.

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

Resolution 10-077, “Resolution Accepting Annual Report and Declaring Intention to Levy Annual Charges for the Downtown Hayward Business Improvement Area for the Fiscal Year 2011 and Providing for Notice of Hearing Thereon”



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**COUNCIL REPORTS**

Council Member Zermefio asked Council to consider language regarding Arizona's recent immigration law. Mayor Sweeney suggested that his request be presented during the public comments section at a next meeting. City Attorney concurred with Mayor Sweeney and noted that the Council Handbook addresses Council action as it related to national matters.

Council Member Quirk acknowledged the efficient work by City Manager David and staff when responding to constituent requests.

**ADJOURNMENT**

Mayor/Chair Sweeney adjourned the meeting at 9:56 p.m., in memory of Judge Robert Fairwell, a longtime Hayward resident and South Hayward Democratic Club member. Council Member Zermefio praised Judge Farewell's contribution to the Hayward Democratic Club. Mayor Sweeney asked staff to work with Mr. Farewell's family to find an appropriate location to plant a tree in his memory.

**APPROVED:**

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

**ATTEST:**

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