



**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF HAYWARD**  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, February 17, 2004, 8:00 p.m.

---

**MEETING**

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

**ROLL CALL**

Present: COUNCIL MEMBERS Jimenez, Hilson,  
Rodriguez, Ward, Dowling, Henson  
MAYOR Cooper  
Absent: None

**PRESENTATION:** Pride in Hayward Award

The February Pride in Hayward Award Recipients were from the Tennyson-Alquire Neighborhood. They were Linda Gillette, Minh and Lu Truong, Phuong Hoang, C.P. and Josephine Weber, and Raphael Chin. Mayor Cooper thanked each of these residents for the care they take of their homes and their pride in living in the City of Hayward.

**PUBLIC COMMENTS**

Mayor Cooper welcomed about 20 Chabot College students from a political science class.

Jim Drake asked about the sale of the former city hall and where that money was spent. He also asked about \$3 million that was spent on projects in the downtown, in particular B Street.

Jason Moreno spoke on continued crime in the Tennyson neighborhood.

Barbara Heringer-Swarr commented on parking spaces in-lieu fees and those required per project in the downtown. She felt that small business owners were not equally treated as larger project developers when determining parking spaces and related in-lieu fees.

Paige Bennett announced that February is National Spay/Neuter Month and reported free spay and neutering services for pitbulls.

Kathy Super, a resident of the Burbank district spoke of how she and three neighbors are removing trash and debris. She provided a list of suggestions for maintaining her neighborhood. Some of her suggestions included translating into Spanish information fliers that the City distributes related to street sweeping and adding trash cans near schools and fast food distributors. She noted that trash she picks up is generally food packaging from fast food

**DRAFT**

restaurants and convenience stores in the area. She has talked to homeowners who are willing to set up trashcans on their property for this purpose. She also suggested that taxi drivers maintain their parking area on B Street near the Bart station.

Chris Peoples spoke in support of Measure 2, a regional measure on the March 2 ballot, describing its advantages and the increased funding it would provide for late night buses and seismic strengthening of San Francisco BART. He referred to the endorsement listing and distributed an informational brochure.

Robert Carlson, President of Chabot College, presented the facilities plan for the college. He urged Council Members to support Measure B both as a group as well as individuals. Lastly, he encouraged all voters to vote Yes on Measure B.

## CONSENT

### 1. Approval of Minutes of the City Council Meeting of February 3, 2004

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried to approve the minutes of the City Council Meeting of February 3, 2004.

### 2. Ordinance Related to Wood Burning Stoves and Fireplaces

Staff report submitted by City Clerk Reyes, dated February 17, 2004, was filed.

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

Ordinance 04-02, "An Ordinance Adding Article 6 to Chapter 9 of the Hayward Municipal Code Relating to Wood-Burning Appliances"

### 3. Second and "E" Street Improvements: Approval of Addendum and Award of Contract

Staff report submitted by Deputy Director of Public Works Bauman, dated February 17, 2004, was filed.

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

Resolution 04-018, "Resolution Approving Addendum No. 1 and Awarding Contract to Sposeto Engineering, Inc., for the Second and E Street Improvements Project, Project No. 5712"



MINUTES OF THE CITY COUNCIL  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, February 17, 2004, 8:00 p.m.

---

4. Hesperian Booster Pump Station Project: Approval of Addendum and Award of Contract

Staff report submitted by Deputy Director of Public Works/Utilities Ameri, dated February 17, 2004, was filed.

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

Resolution 04-019, "Resolution Approving Addendum No. 1 and Awarding Contract to Mountain Cascade, Inc., for the Hesperian Booster Pump Station Project, Project Nos. 6944 and 7144"

5. Resignation of Dana Caines from the Human Services Commission

Staff report submitted by City Clerk Reyes, dated February 17, 2004, was filed.

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

Resolution 04-020, "Resolution Accepting Written Resignation of Dana Caines as a Member of the Human Services Commission"

## HEARINGS

6. Zone Change (PL-2001-0340) - One-Year Extension of Time to Submit Precise Development Plan for 200-Unit Retirement Center - Livermore Acres, Inc. (Applicant/Owner) - 29228 Mission Boulevard Opposite Intersection with Valle Vista Avenue

Staff report submitted by Principal Planner Patenaude, dated February 17, 2004, was filed.

Principal Planner Patenaude made the staff report and responded to questions.

Mayor Cooper opened the public hearing at 8:33 p.m.

Council Member Henson asked Anthony Varni, attorney representing the applicant, if there would be some level of maintenance. Mr. Varni said the parking lot is gated, locked and maintained. He concurred with the staff recommendation.

DRAFT

Council Member Dowling suggested that the property owner and/or the developer place a sign to inform the public about the forthcoming project.

Council Member Hilson indicated that he has passed the site and it was rather unsightly. He urged the developers to maintain the property. He noted that this will be a great improvement and supported the proceeding of the project.

Mr. Varni expressed the concerns and current dilemma related to project permits and approvals.

Council Member Rodriquez was anxious to see the project progress and also encouraged its completion.

Council Member Jimenez commended the project developers and expressed his confidence with Mr. Varni.

Mayor Cooper closed the public hearing at 8:41 p.m.

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

Resolution 04-021, "Resolution Approving a 12-month Extension of Time for the Applicant to Submit a Precise Development Plan for Zone Change No. PL-2001-0340"

## COUNCIL REPORTS

There were no Council Reports.

## ADJOURNMENT

Mayor Cooper adjourned the meeting at 8:43 p.m. in memory of Ralph White, a volunteer at the Hayward Animal Shelter. Mr. White came to the shelter over a year ago and spent most of his time cleaning animal blankets 3 or 4 days a week.

APPROVED:

---

Roberta Cooper, Mayor, City of Hayward

ATTEST:

---

Angelina Reyes, City Clerk, City of Hayward

DRAFT