



**MINUTES OF SPECIAL JOINT MEETING OF THE
CITY COUNCIL/HAYWARD PUBLIC FINANCING
AUTHORITY OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, September 25, 2001, 8:00 p.m.**

MEETING

The Special Joint Meeting of the City Council/Hayward Public Financing Authority was called to order by Mayor/Chairperson Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Ward.

ROLL CALL

Present: COUNCIL MEMBERS/DIRECTORS Jimenez, Hilson,
Rodriquez, Ward, Dowling, Henson
MAYOR/CHAIRPERSON Cooper
Absent: None

PUBLIC COMMENTS

Walter Remstedt, owner of property on Watkins Street, introduced a potential renter and asked questions related to his rental.

Victor A. Christy presented a State Assembly Special Resolution from Assembly Member Ellen Corbett to Florence Miller on her 92nd birthday. He noted her extensive work for the Hayward Palma Ceia community. Council Member Rodriquez lauded Ms. Miller commenting on her fair mindedness and wonderful sense of humor.

Jason Moreno commented on "smart growth" versus managed growth in development.

Robert Lopez commented on services for children.

Ranjit Panigrahi, along with two neighbors, requested assistance in eliminating disturbing noises from refrigerated trucks belonging to a transport company that park alongside a wall near their neighborhood. He noted that he called police and talked to the Planning Department, but did not receive satisfactory resolution.

Mayor Cooper requested staff to investigate the matter and respond.

Francisco Abrantes commented on Council qualifications gave and his opinions on the condition of public schools.

Ron Barklow reiterated his concern related to lights on in the Walpert area, near the canyon and the Hayward High school field.

Director of Public Works Butler responded that the light would be replaced with a new photocell.

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CONSENT

Item 4 was removed for further consideration.

1. Approval of Minutes of the Meeting of September 18, 2001

It was moved by Council Member Henson, seconded by Council Member Rodriguez, and unanimously carried to approve the Minutes of the Meeting of the City Council of September 18, 2001.

2. Authorization for the City Manager to Accept a Federal Grant for Improvements at the Hayward Executive Airport and Execute All Implementing Documents

Staff report submitted by Airport Manager Shiner, dated September 25, 2001, was filed.

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

Resolution 01-137, "Resolution Authorizing the City Manager to Accept a Federal Grant for Improvements to the Hayward Executive Airport and Execute all Implementing Documents"

3. Approval of Fees to be Charged for Costs Incurred in 2000 for Administering the Residential and Mobilehome Rent Stabilization Ordinances

Staff report submitted by City Attorney O'Toole, dated September 25, 2001, was filed.

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

Resolution 01-138, "Resolution Amending Resolution No. 01-096, the Master Fee Resolution for Fiscal Year 2000-2001, Relating to the City Attorney Department, Establishing Time for Payment of Rent Stabilization Annual Fees "

4. Authorization for Issuance and Sale of Certificates of Participation for Financing Certain Water Improvement Projects and Appointment of Financial Advisor and Bond Counsel

Staff report submitted by Finance and Internal Services Director Carter, dated September 25, 2001, was filed.



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City Manager Armas reported that staff was advised that this item be considered separately in light of some financial irregularities in the southern part of the State.

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

Resolution 01-139, "Resolution of the City of Hayward Authorizing the Issuance and Sale of Not to Exceed \$5,700,000 Certificates of Participation, Authorizing and Directing Execution of Related Installment Sale Agreement and Trust Agreement, Approving Preliminary Official Statement with Respect Thereto, and Authorizing Official Actions"

HPFA Resolution 01-01, "Resolution Providing for: Approving, Authorizing and Directing Execution of Certain Installment Sale Financing Documents and Authorizing and Directing Certain Actions with Respect Thereto"

LEGISLATIVE BUSINESS

5. Various Actions Related to the South of 92 Project

- (a) Final Map Tract 7065 (Oliver East) – Duc Housing Partners, Inc. (Subdividers/Owners) – Approval of Final Map, Approval of Summary Vacation of Excess Right-of-Way and Authorize the City Manager to Execute a Subdivision Agreement, and Associated Implementation Measures

Staff report submitted by Planning Manager Anderly, dated September 25, 2001, was filed.

City Manager Armas suggested continuing the second part, "Approval of Final Map...", of section (b) to a future date.

Public Works Director Butler gave the staff report. He indicated that the Business and Sports Park will now incorporate 17 lots since several of the lots in the northwest portion were eliminated in order to allow for a business-campus-type arrangement in that area. He noted that these larger lots could be subdivided in the future. Because of the delays in filling the land in the Oliver/East portion, it is proposed that a new completion date for the Sports Park be July 1, 2002. This date has now been incorporated into the appropriate agreements.

Council Member Ward asked about the vacation of the excess right-of-way along Hesperian. He noted that Union City was considering widening that portion of Hesperian in Union City. He

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wondered whether this excess right-of-way might not be used at a future date for a right turning lane.

It was noted that all of the right turn lanes required have been included in the improvements.

Mayor Cooper opened the public hearing at 8:46 p.m.

Jack Smith introduced the members of the Duc Organization who are working on this project. He noted that they agree with the plans and projects.

Mayor Cooper asked about zoning districts related to research and development rather than industrial. She was told there would be research and development as well as business park.

City Manager Armas clarified that the zoning was of a business park district.

Ron Barklow asked about bridge reinforcement, hydraulic mining and other water concerns, including water for the willow trees on Hesperian.

He was told there will be a new auto bridge and that this project does not impact the existing railroad bridge.

City Manager Armas suggested that many of these environmental issues were previously addressed. He noted that hundreds of conditions were placed on this project.

Jason Moreno commented on campaign reform and contributions from those who make presentations to Council Members.

Mayor Cooper closed the public hearing at 8:53 p.m.

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

Resolution 01-140, "Resolution Approving Final Map for Tract 7065 Authorizing the City Manager to Execute a Subdivision Agreement, Accepting Certain Streets into the City Street System, and Accepting Lot B in Fee Title for Purposes of a Sewer Pump Station"

Resolution 01-141, "Resolution Summarily Vacating a Portion of Industrial Boulevard and a Portion of Hesperian Boulevard and Authorizing the City Manager to Execute Grant Deeds Transferring Title"



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Council Member Ward asked about the current market conditions for the residential housing. He was told the residential was now owned by Standard Pacific. He indicated that they remain optimistic about the commercial and Business Park.

- (b) Mt. Eden Business and Sports Park – Approval of an Assumption Agreement for Duc Housing Partners, Inc., and Approval of Assignment Agreement for Oliver West to Acacia Credit Fund 7, LLC, and Standard Pacific Corporation of California

Staff report submitted by Planning Manager Anderly, dated September 25, 2001, was filed.

As there were no requests to speak, Mayor Cooper opened and closed the public hearing at 8:57 p.m.

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

Resolution 01-142, "Resolution Approving the Assumption and Assignment Agreement for the Mt. Eden Business and Sports Park"

6. Request to Name the Performance Patio at Weekes Library in Honor of Sherman Balch

Staff report submitted by Assistant to the City Manager Saad, dated September 25, 2001, was filed.

City Manager Armas indicated that this was being presented on behalf of the Friends of the Library.

Mayor Cooper opened and closed the public hearing at 8:59 p.m.

Council Member Rodriguez commended Mr. Balch as well as the many others across the community who contributed towards the Weekes Branch Library expansion. She commented about a Cub Scout group who contributed \$100 which took the group almost a year to raise that amount of money. She noted that the whole branch enhancement was a community effort.

Council Member Henson said he was glad to see Council considering this for someone who is alive.

Council Member Hilson added that there is a long list of people who need to be thanked for this project. He noted that Mr. Balch gave the seed money from which much of the funding was built.

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

Resolution 01-143, "Resolution Approving the Naming of a Portion of the Weekes Branch Library in Honor of Sherman Balch"

City Manager Armas then took the opportunity to invite the general public to the dedication ceremony on Sunday, September 30, at 1:00 p.m. He commented that there would be various activities at this celebration.

7. Adoption of Ordinance Related to Compensation for Council Members

Staff report submitted by City Clerk Reyes, dated September 25, 2001, was filed.

City Clerk Reyes indicated that this item was placed under Legislative Business because the vote was not unanimous at introduction.

Mayor Cooper opened the public hearing at 9:02 p.m.

Roy Gordon, representing the Southgate Homeowner's Association, spoke against the proposed raises in Council salaries noting that there was not enough money budgeted for Animal Control to remain open on Mondays. He commented on the unemployment rate in the County.

Greg Sanborn presented his list of minimum qualifications for Council Members and a proposal for the pay range for the Mayor and members.

Jason Moreno suggested that a special election be held for this purpose.

Bill Quirk spoke on behalf of this ordinance.

Lynn Linnen spoke in favor of the Council's compensation.

Robert Lopez reiterated his comments against the ordinance, and how the money could be better spent.

Mayor Cooper closed the public hearing at 9:16 p.m.

Council Member Rodriquez clarified her position, agreed with comments made related to the duties of this position and restated her reasons against the ordinance, concluding that the increase was high.



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Council Member Jimenez reiterated his reasons for not favoring the increases citing the number of individuals out of work. He commented on the highly qualified and talented members of Council and announced that he would be donating 20% of his raise to the Boys and Girls Club.

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

Ordinance 01-12, "An Ordinance of the City Council of the City of Hayward Amending Section 2-1.10 of the Hayward Municipal Code Relating to Compensation for Members of the City Council"

AYES: COUNCIL MEMBERS: Hilson, Ward, Dowling,
Henson
MAYOR Cooper
NOES: COUNCIL MEMBERS: Jimenez, Rodriquez
ABSENT: None
ABSTAINED: None

COUNCIL REPORTS

There were no Council Reports.

ADJOURNMENT

Mayor Cooper adjourned at 9:21 p.m.

APPROVED:

Roberta Cooper, Mayor, City of Hayward

ATTEST:

Angelina Reyes, City Clerk, City of Hayward

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