



MINUTES OF SPECIAL JOINT MEETING OF THE
CITY COUNCIL/REDEVELOPMENT AGENCY OF
THE CITY OF HAYWARD City **Council** Chambers
777 B Street, Hayward, CA 94541
Tuesday, June **27, 2000, 8:00** p.m.

MEETING

The Special Joint Meeting of the City Council/Redevelopment Agency was called to order by Mayor Cooper at **8:00 p.m.**, followed by the Pledge of Allegiance led by Mayor/Chair Cooper.

ROLL CALL

Present: COUNCIL/R4 MEMBERS Jimenez, Hilson,
Rodriquez, Ward, Dowling, **Henson**
MAYOR/Chair Cooper
Absent: None

PUBLICCOMMENTS

Jason **Moreno**, 25200 Carlos Bee Boulevard, announced that the Hayward **Municipal** Band would perform at the Hayward Plunge.

Francisco Abrantes, 22815 Alice Street, commented on the difference in the cost and quality of rental housing in Hayward versus communist countries.

CONSENT

Items 4, 5, and 6 were removed for discussion.

1. Approval of Minutes of the Special Joint Meeting of the City Council/Redevelopment Agency of June **20, 2000**

It was moved by Council/RA Member **Henson**, seconded by Council/RA Member Dowling, and unanimously carried to approve the Minutes of the Special Joint Meeting of the City Council/Redevelopment Agency of June **20, 2000**.

2. Arterial Pavement Rehabilitation Phase I, Approval of Plans and **Specifications** and Call for Bids

Staff report submitted by Deputy Director of Public Works Bauman, dated June **27, 2000**, was filed.

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

Resolution **00-09 1**, "Resolution Approving Plans and Specifications for Arterial Pavement Rehabilitation - Phase I, Project No. 5 198, and Call for Bids"

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3. Emergency Water Supply Well Pump Station at 28251 Industrial Boulevard, Old Well No. 9
Site: Approval of Plans and Specifications and Call for Bids

Staff report submitted by Deputy Director of Public Works
Bauman, dated June 27, 2000, was filed,

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

Resolution 00-092, “Resolution Approving Plans and Specifications
for the Emergency Water Supply Well Pump Station at Old Well
No. 9 Site, Project No. 7110, and Call for Bids”

4. Adoption of a Resolution Approving Changes to the Survey Area Map for Mission-Foothill
Boulevard Corridor Redevelopment Project Analysis

Staff report submitted by Redevelopment Director Bartlett, dated
June 27, 2000, was filed.

Jason **Moreno**, 25200 Mission Boulevard, commented on the unavailability of the report.

City Manager **Armas** explained that the report had been available publicly through the web site,
at the Library and in the Clerk’s Office.

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

Resolution 00-093, “Resolution Approving Amendment of the
Survey Area Map for Mission-Foothill Boulevard Corridor
Redevelopment Project Analysis”

5. Adoption of Memorandum of Understanding with Hayward Firefighters Local 1909

Staff report submitted by Personnel Director Perrin-Scales, dated
June 27, 2000, was filed.

Council Member Jimenez congratulated staff for maintaining a harmonious relationship in
developing both this agreement and the agreement with the police officers.

Jason **Moreno**, 25200 Mission Boulevard, asked about salaries and information on firefighters
residing outside of Hayward.

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

Resolution 00-094, “Resolution Adopting Memorandum of
Understanding Between the City of Hayward and the Hayward
Firefighters Local 1909”



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Resolution 00-095, “Resolution Adjusting Employer Contribution for Subject Members of the Hayward Firefighters Local 1909 Covered Under the Public Employees’ Medical and Hospital Care Act”

6. Adoption of Memorandum of Understanding with Hayward Police Officers’ Association

Staff report submitted by Personnel Director Per&-Scales, dated June 27, 2000, was filed.

Jason Moreno, 25200 Mission Boulevard, asked about salaries and information on police officers living outside of Hayward.

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

Resolution 00-096, “Resolution Adopting Memorandum of Understanding Between the City of Hayward and the Hayward Police Officers’ Association”

Resolution 00-097, “Adjusting Employer Contribution for Subject Members of the Hayward Police Officers’ Association Covered Under the Public Employees’ Medical and Hospital Care Act”

LEGISLATIVE BUSINESS

7. Authorization for the City Manager/Executive Director to Execute an Agreement for Professional Design Services to Prepare a Design Concept for the Cannery Study Area

Staff report submitted by Senior Planner Calame, for June 27, 2000, was filed.

Director of Community and Economic Development (CED) Ehrental described the study area, highlighting the reasons for this proposal. She reported that they had received five responses from different Bay Area firms, and selected Solomon E.T.C. Architecture and Urban Designs as the primary consultant for this study. She explained that the study would include economic and market analysis for the area, as well as circulation and transit analysis. She said staff is anticipating formulating a baseline for entertaining development applications for this area in the future.

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Council/RA Member Hilson commented that the Council would like to bring the level of the entire City to a higher plane and this is an important component of doing that. He commented on the study objectives in dealing with circulation patterns of the downtown area. He suggested that the study include consideration to changing the circulation pattern, including moving streets if it made better sense than what is current. He said the City should not miss an opportunity to look at the broader picture to see if circulation could be improved. He challenged staff to look creatively at this area.

Council/RA Member Dowling asked staff to reiterate the public participation process and tin-reline for the public workshops.

Director of CED Ehrental responded that plans are to begin with an introduction and orientation workshop. The workshop would provide time to discuss the current opportunities and constraints, the current uses, hazardous materials issues in the area, transportation and traffic issues, what revitalization proposals might be considered, and take input from the property owners on their concerns and issues. She noted that this information would be provided to the consultant to study and then come back at a second workshop with perhaps three design alternatives to meet these issues and address these concerns.

City Manager/Executive Director **Armas** added that it will be important to the City to receive input from other agencies including HARD and the school district as they know what future projects might be impacted and what they could offer as important amenities to that area since such are critical to the area.

Council/R4 Member **Henson** inquired about the firm that was selected.

According to City Manager **Armas** many of the cannery area buildings are really at the end of their economic life so the City is, in a sense, offered a clean slate. Mr. Solomon was a presenter at the conference recently held in Seattle on this type of development and he is in the forefront of the philosophical shift of this type of development.

Director of CED Ehrental described the background, expertise and experience of the selected consultant. She noted their knowledge of Hayward is advantageous to the results of this project.

Council/RA Member **Henson** added that he agreed with **Council/RA** Member Hilson, and stated that this affords the City the opportunity to do some creative and challenging things.

Council/I&A Member Ward commented that the Downtown Committee reviewed the report and the credentials of the consultant and found it favorable. He added that this team has solid experience in Hayward and other urban areas. He was encouraged by the recommendation.

Mayor/Chair Cooper opened and closed the public hearing at 8:16 p.m., with no requests to speak.

In moving the item, **Council/RA** Member Ward indicated how critical the publicly stated time line is for the study. He asked for assurance that the completion date for the study be this current calendar year.



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City Manager/Executive Director **Armas** assured him that of the two parts of the study, the second step is not part of the timeframe since it may include changes to-zoning or general plan amendments.

Council/RA Member Dowling asked that notices be sent to a broad range of people in the area for their input.

It was moved by Council/R4 Member Ward, seconded by Council/RA Member Hilson, and unanimously carried by all present, to approve the following:

RA Resolution 00-13, "Resolution Authorizing the Executive Director to Execute into an Agreement for Professional Services with **Soloman** E.T.C. to Prepare a Design Concept for the Cannery Row Area"

8. Adoption of Interim Moratorium Ordinance in the Cannery Study Area

Staff report submitted by Director of Community and Economic Development Ebreththal, for June 27, 2000, was filed.

Director of CED Ebreththal stated that the development of the concept plan for the area is essential for shaping the future of the area. It will also provide guidance for the businesses in the area. There is **concern that** the area will be under pressure for quick development. The area is the historic cannery area. There is concern that the area is incompatible to surrounding uses and it would require a comprehensive land use plan to fully realize its potential. She suggested it would be prudent for the Council to establish a moratorium on land use improvements and building permits. It is an interim ordinance for **45-days**, which could be extended for up to **10-months** after a public hearing. The sole exception would be for building permits for **single-family homes**, allowing homeowners to continue building improvements.

Council Member **Henson** asked about the **45-days** and would it not make more sense to extend it by 90-days.

City Manager **Armas** said it is proscribed by State law. After the abbreviated period, the Council would then have to conclude whether it is meritorious to continue. This will give other interested parties an opportunity to provide more feedback to the merits of the proposal

City Attorney **O'Toole** explained that by State law, the **only** way to adopt a moratorium is to require the **45-day** initial period. If an extension is requested, it must be justified.

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Council Member Hilson clarified that this moratorium would be to continue development of an integrated plan for **the** area.

Mayor/Chair Cooper opened and closed the public hearing at 8:44 p.m.

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

Introduce/Adopt Ordinance 00-02, “An Emergency Ordinance Adopting a 45-day Moratorium on the Issuance of Use Permits, Variances, Building Permits and Other Land Use Approvals Within Delineated Sections of the Cannery Area”

9. Review of Response to the Draft Environmental Assessment of the San Francisco International Airport (SFO) Simultaneous Offset Instrument Approach (SOIA) Precision Runway Monitor Project

Staff report submitted by Director of Public Works Butler, dated June 27, 2000, was filed,

Director of Public Works Butler gave a brief overview of the report. He indicated that staff is recommending Council review and comment on the proposed response.

Council Member Hilson reported that he **attended** a meeting on this project. **He** indicated that there are a number of other projects underway studying other flight patterns. He said this was only a small phase of the total proposal, which is taking all the flight paths from the West Bay and directing them to the East Bay. He said an important factor is that this **route** is flown 100 percent of the time. He would like **the** letter to ask more pointed questions.

Council Member Ward agreed that there were many unanswered questions, including the expansion of runways into the bay of both the Oakland Airport and SFO. He suggested that this option should have been delayed until these runway **reconfigurations** were established. He suggested a stronger statement be included in the letter regarding this option relative to the other runway patterns.

Council Member Rodriquez expressed dismay at the lack of consideration for the residents in the City of Hayward by all of the airport entities in charge of flights. She emphasized her appreciation for **the** stronger language in the letter.

Council Member **Henson** suggested highlighting the potential impacts on the Hayward Executive Airport,

Council Member Jimenez suggested this letter also be sent to the Mayor and Board of Supervisors in San Francisco as well.

Council Member Dowling asked about the impacts this might have on the Hayward Executive Airport. Public Works Director Butler responded that it is not clear from their environmental



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assessment what affect this proposal might have on the Hayward Airport. He indicated that it was equally unclear as to the affect on all of the other airports in the area. None of those airports were addressed. He said, as far as they were able to discover, this document was prepared in isolation without consulting with any of the other airports. He said that aside from quality of life issues, it is not clear as to the affect on holding patterns and flight patterns from the airport.

Council Member Ward suggested that, if ~~the~~ technical analysis is not consistent with CEQA requirements, this might be an area to join with members of other communities in challenging the findings in this regard.

Mayor Cooper opened the public hearing at 9: 11 p.m.

Ed Bogue, 729 Poinciana Street, who serves as one of Hayward's representatives to Oakland Airport's Noise Management Forum, provided further information on the flight paths over the Bay. He said traffic coming into Oakland took precedence over traffic at the Hayward Executive Airport. He indicated that the environment assessment does not take into consideration the affect on many of the communities in the area. He concluded that the report seems totally inadequate on every level.

Mayor Cooper closed the public hearing at 9: 15 p.m.

It was moved by Council Member Jimenez, seconded by Council Member Ward, and unanimously carried by all present, to approve the draft letter with copies to the Mayor and Board of Supervisors of San Francisco. Mr. Ward added comments regarding runway extensions and how they might further impact the City of Hayward. He informed Council that the Regional Airports Systems Plan Update, dealing with all the airports in the Bay Area, is scheduled for adoption on July 28, 2000. Mr. Ward added that he chairs this Committee and indicated that the update will include many of the comments and concerns from this Council meeting.

10. Review and Consideration of Revised ABAG Regional Housing Needs Determination

Staff report submitted by Senior Planner Calame, dated June 27, 2000, was filed.

Senior Planner Calame summarized the history of the report. He indicated that this revised report included the results of the previous 90-day review period, with the input from various communities in the Bay Area. The housing production target for Hayward is 2,835 units. This is an annual average of 405 units needing to be built each year during the seven-year period. Hayward had an annual average of new housing construction during the previous seven years of 266 units. During the past two years new construction has averaged more like 469 units per year. He added that City staff has concerns with the revisions in the methodology and their effect on Hayward. Since the City has no influence on housing production in the unincorporated areas

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near the City, it should not be **held** accountable for addressing these needs. Staff suggested that if **ABAG's** revised methodology is to be continued, it should be clarified.

Council Member **Henson** commented that the sphere of influence allocation modification/allocation terminology is mind-boggling. He then referred to previous discussions on other cities not taking their responsibility in providing low and moderate-income housing.

Senior Planner Calame commented that **ABAG's** position is in taking steps in averaging the existing distribution between a particular locality and the whole area. He then discussed the appeal process for **ABAG's** Housing Needs Determination. If the State feels a city does not do an adequate job of responding to their housing needs, they may choose not to certify the Housing Element for the city.

City Manager **Armas** explained that recent legislation has tried to link revenue accruing to a city with its performance in this area. In fact, the most current policy discussion is around compliance with these objectives and with returning the monies taken from cities during the early 90's.

Council Member **Ward** brought up the initiative on the November ballot which would substantially limit the amount of available land for any sort of development, particularly housing units.

Senior Planner Calame explained **that other** cities under restricted housing starts have raised the issue and **ABAG** has basically ignored them.

Council Member **Hilson** asked for further clarification on the various numbers cited in the **ABAG** report. He commented on the numbers listed for various counties and cities, mentioning the faulty logic used. He suggested that some cities, like Hayward, are being penalized for having surrounding areas and areas considered "Spheres of Influence. "

Council Member **Dowling** asked about **ABAG's** response to **the** City regarding **the** unincorporated area. He wondered whether the City has tried to negotiate any of these figures with the County as suggested by **ABAG**.

Council Member **Jimenez** asked about cities being encouraged to share the responsibility with the County rather than needing to take it.

Mayor **Cooper** opened and closed the public hearing at **9:45** p.m.

Mayor **Cooper** suggested rejecting the report from **ABAG** and in a letter ask them to reconsider their methodology. The City of Hayward expects reconsideration of the methodology so that the City of Hayward can take its own responsibility for housing development.

City Manager **Armas** indicated that it might be more advantageous for the City to respond with two letters.

It was moved by Mayor **Cooper**, seconded by Council Member **Jimenez**, and unanimously carried by all present, to reject the report from **ABAG** with two letters. The first, from Council,



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outlining the problems with the report and asking for reconsideration of the methodology. A second letter from staff speaking to the technical aspects of the report.

Council Member Ward expressed his appreciation to Mr. Bogue for his work on the Airport Committee.

COUNCIL REPORTS

There were no Council Reports.

ADJOURNMENT

Mayor Cooper adjourned the meeting at **9:51** p.m. in memory of Mr. Bob Wiese, who along with his wife Pat has arduously worked during the past 16 years to restore the historic, "Castle," at Second and Walpert Streets.

APPROVED:

Roberta Cooper, Mayor, City of Hayward
Chair, Redevelopment Agency

ATTEST:

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

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