



**MINUTES OF MEETING OF THE CITY
COUNCIL OF THE CITY OF HAYWARD**
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, October 8, 2002, 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 Hilson.

ROLL CALL

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

PROCLAMATION: Johan Klehs Appreciation Day

The Mayor made the presentation to Johan Klehs honoring him for his 24 years of public service, which included being a member of the San Leandro School Board, his years as an Assembly Member, and the past eight years on the Board of Equalization. The proclamation also noted a number of services provided to the people of the State of California. Mr. Klehs joined Mayor Cooper at the podium, accepted the proclamation and thanked the Council for the presentation. He also commented on several challenges that face our State and will impact cities.

PRESENTATIONS: Pride in Hayward

The October 2002, Pride in Hayward Award recipients included five families in the Santa Clara Neighborhood. These residents include: Bobbye Kady, Murlin and Roberta Adams, Jorge and Rosa Laverello, Erlinda Malinis and Arceli Sevilla, and Roger and Shirley Campbell. Mayor Cooper thanked these good neighbors for their care and concern in maintaining nice homes that make Hayward a better city.

Hayward Cannery Area Design Plan: League of California Cities Award

A presentation was made to the City of Hayward from the League of California Cities of the Helen Putnam Award for the Hayward Cannery Area Design Plan. Council Member Hilson, on behalf of the League of California Cities Board, made a brief presentation regarding the history of the award, the seven categories that are presented, and displayed the City's award in the category of physical environment and land use.

PUBLIC COMMENTS

John Kyle commented on behalf of the Citizens Against Traffic Snarls and spoke against the passage of Measure U.

Jason Moreno announced two events scheduled for this Saturday that are suitable for families, a

music festival at Cal State Hayward and the Greek Festival at Centennial Hall.

Barbara Swarr discussed the previous action taken relative to the adoption of the various building and plumbing codes.

Dan Henriques, Sunol, spoke regarding a past incident that involved a hate crime, impoundment of his automobile, and his recent arrest.

Elaine Sunday, on behalf of Hayward Mobile Country Club, spoke on the need for a signal light to exit that park. She also noted staff response to her request.

Mayor Cooper referred this matter to staff.

CONSENT

1. Adoption of Ordinances Related to Uniform Building Code, Fire Code, Mechanical Code, Housing Code, and the Electrical Code

Staff report submitted by City Clerk Reyes, dated October 8, 2002, was filed.

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

Ordinance 02-12, "An Ordinance Establishing a Building Code for the City of Hayward; Regulating the Construction, Alternation, Repair, and Maintenance of the Structures; Providing for the Issuance of Permits and Collection of Fees; and Repealing Ordinance No. 99-05 and All Amendments Thereto"

Ordinance 02-13, "An Ordinance Establishing a Fire Prevention Code for the City of Hayward; Adopting the California Fire Code, 2001 Edition, and the California Fire Code Standards, 1997 Edition, with Certain Amendments Thereto Including the 2000 Supplemental Edition; Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire or Explosion; Providing for the Issuance of Permits and Collection of Fees; and Repealing Ordinance No. 99-06, as Amended, and All Other Ordinances and Parts of Ordinances in Conflict Therewith"

Ordinance 02-14, "An Ordinance Establishing a Mechanical Code for the City of Hayward; Regulating the Construction, Alternation, Construction, Installation and Repair of Ventilating, Refrigeration, and Heat Producing Equipment (Mechanical Equipment); Providing for the Issuance of Permits and Collection of Fees and Prescribing Penalties for Violation of Said Mechanical Code; and Repealing Ordinance No. 99-07 and All Amendments Thereto"



**MINUTES OF MEETING OF THE CITY
COUNCIL OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, October 8, 2002, 8:00 p.m.**

Ordinance 02-15, "An Ordinance Establishing a Housing Code for the City of Hayward; Establishing Minimum Space and Occupancy Standards, Structural Requirements, Mechanical Requirement, Exits, Fire Protection and Other Requirements for Residential Buildings; Regulating the Use and Occupancy of Residential Buildings; Providing for the Repair, Rehabilitation, or Demolition of Substandard Residential Buildings, and Prescribing Penalties for the Violation of Said Housing Code; and Repealing Ordinance No. 99-08 and All Amendments Thereto"

Ordinance 02-16, "An Ordinance Establishing a Electrical Code of the City of Hayward; Regulating the Installation, Alteration, Repair and Maintenance of Electrical Wiring, Electrical Fixtures, and Other Electrical Appliances and Equipment; Providing for the Issuance of Permits and Collection of Fees; and Repealing Ordinance No. 99-09 and All Amendments Thereto"

2. Authorization for the City Manager to Enter into a Memorandum of Agreement (MOA) for the Preparation of an Environmental Analysis of the Proposed Water System Supply Intertie

Staff report submitted by Deputy Director of Public Works/Utilities Ameri, dated October 8, 2002, was filed.

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

Resolution 02-151, "A Resolution Authorizing the City Manager to Execute a Memorandum of Agreement with the City of Hayward, East Bay Municipal Utilities District, San Francisco Public Utilities Commission and Alameda County Water District"

3. Authorization for Execution of an Agreement for Granting an Ingress-Egress Easement at the Highland 500 Reservoir to the Adjacent Property Owner

Staff report submitted by Deputy Director of Public Works/Utilities Ameri, dated October 8, 2002, was filed.

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

Resolution 02-152, "Resolution Authorizing the Execution of an Agreement for Granting an Ingress-Egress Easement at the Highland 500 Reservoir"

4. Amendments to Agreement with City Attorney

Staff report submitted by City Attorney O'Toole, dated October 8, 2002, was filed.

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

Resolution 02-153, "Resolution of the City Council of the City of Hayward Relating to the Salaries and Benefits of the City Attorney"

LEGISLATIVE BUSINESS

5. Adoption of Ordinance Related to the Uniform Plumbing Code

Staff report submitted by City Clerk Reyes, dated October 8, 2002, was filed.

City Clerk Reyes reported that this ordinance is under Legislative Business due to the lack of a unanimous vote on its introduction.

Mayor Cooper opened the public hearing at 8:38 p.m.

Barbara Swarr, Hayward, indicated that only five cities in Northern California still have the requirement for metal pipes.

Obray Van Buren, Hayward, said the plastic pipe issue was more complicated than it seems. He said it is easier to do plastic pipes incorrectly.

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

Council Member Henson indicated that Hayward has several of the most restrictive seismic zones in America. It is with that in mind and with this concern that the codes are adopted.

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

Ordinance 02-17, "An Ordinance Establishing a Plumbing Code for the City of Hayward; Regulating the Construction, Alteration, Repair and Maintenance of Plumbing; Providing for the Issuance of Permits and Collection of Fees; and Repealing Ordinance No. 99-10 and All Amendments Thereto"



**MINUTES OF MEETING OF THE CITY
COUNCIL OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, October 8, 2002, 8:00 p.m.**

AYES: Council Members Jimenez, Rodriquez, Ward,
Dowling, Henson
MAYOR Cooper
NOES: Council Member Hilson
ABSENT: None
ABSTAINED: None

COUNCIL REPORTS

Council Member Hilson reported on his participation as a member of the Board in the League of California Cities that took place last week in Long Beach. He noted that the bylaws were revised to include eight additional directors to the Board. He also reported that a resolution regarding the undergrounding of utilities was approved. Additionally two resolutions regarding local coastlines and wilderness designations were referred back to committees. Council Member Hilson noted the change in the annual program and went on to describe the various topics given by the featured speakers who included Peter Yarrow, speaking on "Operation Respect: Don't Laugh At Me" Arnold Schwarzenegger, who spoke in favor of Proposition 49, Linda Wertheimer of National Public Radio, and Michael Josephson, who spoke on ethics. Mayor Cooper thanked him for representing her at the conference and accepting the Helen Putnam award on the City's behalf.

Mayor Cooper reported that the Mt. Eden High School Choir has been invited to sing at Carnegie Hall in New York, but that more funds are needed in order for the members to participate. She encouraged all to send checks to Mt. Eden High School for that special project.

ADJOURNMENT

Mayor Cooper adjourned the meeting at 8:52 p.m.

APPROVED:

Roberta Cooper, Mayor, City of Hayward

ATTEST:

Angelina Reyes, City Clerk, City of Hayward