



**MINUTES OF THE CITY COUNCIL MEETING OF  
THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, December 12, 2006, 8:00 p.m.**

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**MEETING**

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

**ROLL CALL**

Present: COUNCIL MEMBERS Rodriquez, Quirk, Halliday, Ward, Dowling,  
Henson  
MAYOR Sweeney  
Absent: COUNCIL MEMBERS None

**PUBLIC COMMENTS**

There were no public comments.

**CONSENT**

Consent Item 2 was removed for public input.

1. Approval of Minutes of the City Council Meeting of December 5, 2006

It was moved by Council Member Quirk, seconded by Council Member Henson, and unanimously carried, to approve the minutes of the City Council Meeting of December 5, 2006.

2. Hayward Executive Airport Improvements – Authorization to Amend Professional Services Agreement with P&D Consultants, Inc.

Staff report submitted by Deputy Director of Public Works Fakhrai, dated December 12, 2006, was filed.

John Kyle commented on the landing patterns of aircraft and on noise in his neighborhood in particular from helicopters. He suggested that the proposed helipad to the other side to relieve helicopter noise.

In response to Council concerns, City Manager Armas indicated that the current site of the helipad was determined after extensive discussions during the capital improvement budget hearings. He reported that this project has been part of the Public Works capital improvement budget for some time and revising it at this time would require further environmental review. He pointed out that Mr. Kyle's suggestions to relocate the helipad would not be compatible to other future improvements. He also responded to Council Member Halliday's questions related to the scope of the helipad project and Council action is for additional funding for design.

**DRAFT**

Council Member Halliday agreed with Mr. Kyle that more discussion should have occurred at the Airport Committee level.

Council Member Henson, a member of the Airport Committee, indicated that this project has also been a part of the airport master plan reviews as well as before the Noise Abatement Group.

Council Member Quirk commented that the suggestion to move the site for the helipad may impact safety.

It was moved by Council Member Ward, seconded by Council Member Henson, and carried with Council Member Halliday voting no, to adopt the following:

Resolution 06-148, "Resolution Authorizing the City Manager to Execute an Amendment to the Agreement with P&D Consultants, Inc., for Airport Improvement Program Design and Construction Support Services"

3. Benefit District 411-06 – Saklan Road Unincorporated Island Water, Sewer, and Storm Drain Benefit District – Adopt a Resolution of Intention, Preliminarily Approve the Engineer's Report and Set January 16, 2007, as the Public Hearing Date for the Formation of the Benefit District

Staff report submitted by Development Review Services Engineer Anastas, dated December 12, 2006, was filed.

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

Resolution 06-147, "Resolution of Intention to Order the Formation of Benefit District 411-06, Saklan Road Unincorporated Island Water, Sewer, and Storm Drain Benefit District, and to Fix and Collect Charges Pursuant to Hayward Municipal Code Section 8-16.20"

## **LEGISLATIVE BUSINESS**

4. Establishment of a Hayward Day Worker Center

Staff report submitted by City Manager Armas, dated December 12, 2006, was filed.

Council Member Rodriguez reported that she would be recusing herself due to her involvement with the South Hayward Parish and left the Council chamber.

City Manager Armas introduced David Korth, Acting Neighborhood and Economic Development Manager, who made the presentation, outlined the process for the requests for proposals, and



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noting how the four proposals were reviewed. He outlined the objectives of the proposal by South Hayward Parish which would provide basic needs to day workers and a safe alternative for day workers other than congregating on city streets. The proposed hiring hall would cost \$85,912. He enumerated other support services as English as a Second Language, medical and mental health services, legal services and case management. He noted other support services using non-City resources. As a result of the concerns discussed at the previous work session, Parish representatives are willing to consider hours of operation during weekends so that more services can be optimized. He reported that it will be essential to consider that there are no conflicts on what is already being provided at the Eden Youth and Family Center (EYC). He pointed out that both the EYC and the representatives of the Parish are willing to support this effort.

City Manager Armas indicated that the site will be located at the Eden Youth Center. He stressed the importance of the on-site services that could be coordinated with this program. He suggested that a transition plan be considered by both parties to coordinate all issues. He proposed that Council consider a transition plan that would provide funding of \$10,000 reserved from the Social Services Fund and an additional \$33,000 from the General Fund and place this program to be considered for funding from future social service funding. For the fiscal year 2007-08, an additional allocation of \$86,000 will come from the General Fund. In the fiscal year of 2008-9 the program can be considered as part of the social services funding process and stand on its own merits.

There was further Council discussion as to whether this model is better than other models being used in other jurisdictions. It was staff recommendation to maintain the current vendor for this funding as six months will not be sufficient to collect objective data.

In response to Council Member Dowling's question regarding enforcement, City Attorney O'Toole responded that perhaps a more heavy presence of police may be needed.

Council Member Henson confirmed that this program would be opened to any low-income person seeking work. He asked about the other model that provides services directly in the streets rather than at a site and was informed that the site model would be more beneficial for the providers. Acting Neighborhood and Economic Development Manager Korth stated that the proposal will have a learning curve. He noted that this program will include other resources as medical services from other community agencies. It is anticipated that strategies, such as legal services, will be offered to address employer issues.

Council Member Halliday asked if the City would be liable in anyway. She expressed her concern for the legal situation. She discussed wages, workers' compensation, the impact of the living wage and workers' rights. She made a suggestion on the outcome measurement to be compared to what the situation is now and then a year later.

With no requests to speak, Mayor Sweeney opened and closed the public hearing at 8:44 p.m.

Council Member Quirk thanked South Hayward Parish for their proposal. He was unclear on the impact and what liability issues could arise. He felt that the costs didn't include consideration of the wear and tear on the Eden Youth Center building. He felt that the other bid from the group with this type of experience was substantially more than the South Hayward Parish and might be a more realistic bid. His priority in the use of the allocation would be to provide shelter and food rather than fund this proposal. He was also concerned on the timing of this request due to potential deficits in the future. For this reason, Council Member Quirk moved to send this back to staff to develop less expensive alternatives to address this issue. The motion died for a lack of a second.

Mayor Sweeney asked staff if they could respond to Council Member Quirk's concerns. City Attorney O'Toole stated the City's insurance premiums would remain and that the liability is not much greater than with most City-funded service providers. It was also noted that the 18 month duration of this program would not significantly impact EYC building.

Council Member Halliday moved to accept the staff recommendation, seconded by Council Member Henson. On the motion, Council Member Halliday indicated that she felt that this is a humanitarian effort for assisting people in need, not in whether they are documented. She noted her attendance along with Council Member Dowling, at a session on this topic at the League of California Cities conference in San Diego. She was confident about the City Manager's funding recommendation.

Council Member Dowling stated that there are a lot of positives with this proposal. There is a real concern for neighborhood needs beyond city dollars. He urged continued efforts to be sensitive to resolution of this issue. Social services are needed to resolve this issue in South Hayward and South Hayward Parish has some real experience with the situation on Tennyson. He appreciated the increase in the social services funding, but felt that it was minimal.

Council Member Henson agreed with Council Member Dowling, noting his attendance at a church in that neighborhood. He also agreed with Council Member Quirk that there may be shortfalls in the future, but this is a humanitarian move, open to anyone in need of assistance and an effort to address a community issue.

Council Member Quirk stated that he would be voting against the motion as he previously discussed on the impacts to the City's budget.

Mayor Sweeney stated that he would be supporting this proposal. He pointed out that the real test is to move day workers off the streets and parking lots.

It was moved by Council Member Halliday, seconded by Council Member Henson, and carried to approve the operation of a day worker program by the following roll call vote:

Resolution 06-149, "Resolution Authorizing the City Manager to Negotiate and Execute a Contract with the South Hayward Parish to Operate a Day Worker Program"



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AYES: Council Members Halliday, Ward, Dowling,  
Henson,  
MAYOR Sweeney  
NOES: Council Member Quirk  
ABSENT: Council Member Rodriguez (recused)  
ABSTAINED: None

Council Member Rodriguez returned to the dais.

5. Tax Sharing Agreements with Alameda County Regarding the Mt. Eden Annexation
  - Alameda County
  - Alameda County Redevelopment Agency

Staff report submitted by City Manager Armas, dated December 12, 2006, was filed.

City Manager Armas made the presentation related to the Mt. Eden Annexation (Phase 1). He described the five unincorporated islands and pointed out that three of them will be annexed as authorized by the Council. He enumerated the property tax revenues generated from these islands at about \$44,000 per year. He described the advancement from the County as well as from Dutra Enterprises. He responded to Council inquiries that will construct and improve infrastructure without impacting property owners and the fifteen year benefit district. He also reported funding for the Whitesell project that will improve traffic circulation in that area. He noted other items on future agendas to address other issues that need to be resolved for the annexation to be final. Council appreciated Alameda County Supervisor Steele for her efforts and Dutra Enterprises and KB Homes for its contributions.

Council Member Henson asked how this would impact the City's population. It was noted that about 450 units will be built for two to three residents, which would not seriously impact the City's current population.

With no requests to speak, Mayor Sweeney opened and closed the public hearing at 9:19 p.m.

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

Resolution 06-150, "Resolution Effectuating Exchange of Tax Revenues in Connection with the Mt. Eden Municipal Annexation"

Resolution 06-151, "Resolution Authorizing Tax Sharing Agreement with the Alameda County Redevelopment Agency and the County of Alameda in Connection with Mt. Eden Annexation"

**COUNCIL REPORTS**

There were no Council Reports.

**ADJOURNMENT**

Mayor Sweeney adjourned the meeting at 9:21 p.m.

**APPROVED:**

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Michael Sweeney, Mayor, City of Hayward

**ATTEST:**

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Angelina Reyes, City Clerk, City of Hayward