



**MINUTES OF THE CITY COUNCIL MEETING OF  
THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, June 23, 2009, 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 Mayor Sweeney.

**ROLL CALL**

Present: COUNCIL MEMBERS Zermeño, Quirk, Halliday, May, Dowling, Henson  
MAYOR Sweeney  
Absent: COUNCIL MEMBER None

**CLOSED SESSION ANNOUNCEMENT**

City Attorney Lawson reported that Council met with Legal Counsel pursuant to Government Code 54956.9 regarding two potential cases. They also met pursuant to Government Code 54956.9 concerning Aguilar, et al. v. City of Hayward, Alameda County Superior Court, Case No. RG09454656. There was no reportable action.

**PUBLIC COMMENTS**

Reverend John Wichman, Patrick Avenue resident, extended an invitation to attend a performance by El Grupo Lempira, a group of musicians that will be performing at the Westminster Hills Presbyterian Church on July 10, 2009.

**BOARDS AND COMMISSIONS**

1. Appointment and Reappointment to the Hayward Youth Commission and Administer Oath of Office

Staff report submitted by City Clerk Lens, dated June 23, 2009, was filed.

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

Resolution 09-089, "Resolution Appointing and Reappointing Members to the Youth Commission"

City Clerk Lens administered the oath of office to the new appointees to the Hayward Youth Commission.

**DRAFT**

## CONSENT CALENDAR

1. Public Safety Computer Aided Dispatch/Records Management System (CAD/RMS) Replacement

Staff report submitted by Police Chief Ace and Technology Services Director Priest, dated June 23, 2009, was filed.

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

Resolution 09-090, "Resolution Authorizing the City Manager to Negotiate and Execute A Contract for A New Public Safety Computer-Aided Dispatch/Records Management System"

Resolution 09-091, "Resolution Authorizing the City Manager to Execute All Documents Necessary to Implement the Intra-Agency Loan of Funds for a New Public Safety Computer-Aided Dispatch/Records Management System"

Resolution 09-092, "Resolution Amending Resolution 09-082, As Amended, the Budget Resolution for the City Operating Budget for Fiscal Year 2010, Relating to an Appropriation of Funds from the Wastewater Revenue and Operating Fund (Fund 611) to the Technology Services Fund for the Public Safety Aided Dispatch/Records Management System (CAD/RMS) Replacement"

2. Reappointment of Council Member Quirk as the City of Hayward Representative to the Bay Area Water Supply and Conservation Agency and the San Francisco Bay Area Regional Water System Financing Authority

Staff report submitted by Deputy Director of Public Works Ameri, dated June 23, 2009, was filed.

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

Resolution 09-093, "Resolution Confirming the Reappointment of Council Member Quirk as the City's Representative to the Bay Area Water Supply and Conservation Agency and the San Francisco Bay Area Regional Water System Financing Authority"



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**PUBLIC HEARING**

3. Downtown Business Improvement Area Consideration of Annual Levy

Staff report submitted by Redevelopment Director Bartlett, dated June 23, 2009, was filed.

Redevelopment Director Bartlett gave a synopsis of the report.

There being no public comments, Mayor Sweeney opened and closed the public hearing at 8:10 p.m.

Council Member Henson moved the item per staff recommendation. Council Member Dowling seconded the motion.

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

Resolution 09-094, "Resolution Accepting Annual Report and Declaring Intention to Levy Annual Charges for the Downtown Hayward Business Improvement Area for the Fiscal Year 2010 and Providing for Notice of Hearing Thereon"

4. Revision to Hayward's Green Building Ordinance for Private Development Related to Stopwaste.org's Cost-Effectiveness Study

Staff report submitted by Development Services Director Rizk, dated June 23, 2009, was filed.

Development Services Director Rizk gave a synopsis of the report and clarified questions from Council Members related to Exhibit B Energy Cost-Effectiveness Case Studies Using the 2008 Title 24 Building Energy Efficiently Standards, pages 42 through 44 related to payback time, page 30 regarding incremental cost, and page three regarding assumption of utility rates.

There being no public comments, Mayor Sweeney opened and closed the public hearing at 8:25 p.m.

Council Member Halliday moved the item per staff recommendation. Council Member Henson seconded the motion.

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

Resolution 09-095, "Resolution Finding That Amendments to the Private Development Green Building Ordinance is categorically Exempt from Environmental Review Under the California Environmental Quality Act"

Intro Ordinance 09-\_, "An Ordinance Adding Section 10-22.160 To Article 22 of Chapter 10 of the Hayward Municipal Code Relating to Green Building Requirements for Private Development"

**COUNCIL REPORTS**

There were none.

**ADJOURNMENT**

Mayor Sweeney adjourned the meeting at 8:26 p.m., in memory of Elvin L. "Al" Webber, a resident of the Fairway Greens neighborhood who passed away on June 18, 2009. He requested that a tree be planted in his memory.

**APPROVED:**

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Michael Sweeney, Mayor, City of Hayward

**ATTEST:**

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Miriam Lens, City Clerk, City of Hayward