



**MINUTES OF THE CITY COUNCIL MEETING OF
THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, March 2, 2010, 7:00 p.m.**

MEETING

The Meeting of the City Council was called to order by Mayor Sweeney at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Henson.

ROLL CALL

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

CLOSED SESSION ANNOUNCEMENT

Mayor Sweeney reported that Council met pursuant to Government Code 54957 and Government Code 54956.9 (a). Mayor Sweeney noted that because Council did not complete all discussions, Council was going to reconvene at the conclusion of the Regular City Council Meeting. There was no reportable action on the items discussed.

PROCLAMATION

National Developmental Disabilities Month

Mayor Sweeney read the proclamation and recognized the month of March 2010 as National Developmental Disability Month in the City of Hayward. The Mayor encouraged the Hayward community to recognize The Arc of Alameda County for its leadership in providing quality services for people with intellectual and developmental disabilities. He presented the Proclamation to Ms. Shannon Jurich, Director Quality Assurance and Program Development, representing The Arc of Alameda County. Ms. Shannon Jurich thanked Council for the recognition and for their support.

PUBLIC COMMENTS

Ms. Linda Bristow, Call Avenue resident, congratulated Council for the recent improvements to City services, including Access Hayward. Ms. Bristow spoke on behalf of Shelter Volunteers noting that she applied for a grant to Pet Smart in October, but the grant was rescinded. She also stated that the \$26,000 grant could have helped spay and neuter feral cats and save the City about \$140,000 a year. Ms. Bristow spoke about the Trap-Neuter-Return (TNR) program and how well it works. She shared a story about a trapped cat and a caretaker. Mayor Sweeney asked City Manager Jones to look into the situation and report back to Council.

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Ms. Jennie Combs, Animal Shelter volunteer, noted that she has seen the shelter overwhelmed with feral cats. Ms. Combs spoke in favor of the TNR program and noted that cats are costing the City a lot of money. She noted that the Pet Smart grant was lost for technicality issues.

Mr. Doug Ligibel, Grand Terrace resident, thanked Council Members Zermeño, Halliday and Henson for their support of the Council's priorities. He thanked the Hayward Police Department for their response to the shooting in South Hayward. Mr. Ligibel noted a correlation between youth with guns and alcohol and violence. Mr. Ligibel expressed concern about an understaffed police department and the increase in gang activity and underage drinking.

CONSENT CALENDAR

1. Approval of Minutes of the Hayward City Council/Redevelopment Agency Special Joint Meeting on February 16, 2010

It was moved by Council/RA Member Henson, seconded by Council/RA Member Dowling, and carried unanimously, to approve the minutes of the Hayward City Council/Redevelopment Agency Special Joint Meeting of February 16, 2010.

2. Resolution Authorizing the Hayward Council Sustainability Committee to Continue as a Formal Standing Committee

Staff report submitted by Development Services Director Rizk, dated March 2, 2010, was filed.

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

Resolution 10-025, "Resolution Authorizing the Hayward Council Sustainability Committee to Continue as a Formal Standing Committee of Hayward"

3. Resolution Authorizing the County of Sacramento to Apply for State Energy Program (SEP 1) Funds on Behalf of the City of Hayward

Staff report submitted by Senior Planner Pearson, dated March 2, 2010, was filed.

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

Resolution 10-026, "Resolution Authorizing the County of Sacramento to Apply for State Energy Program Funds on Behalf of the City of Hayward"

4. Resolution Authorizing the Association of Bay Area Governments to Accept State Energy Program (SEP 2) Funds on Behalf of the City of Hayward



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Staff report submitted by Senior Planner Pearson, dated March 2, 2010, was filed.

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

Resolution 10-027, "Resolution Authorizing the Association of Bay Area Governments to Accept State Energy Program Funds on Behalf of the City of Hayward"

5. Filing Nuisance Abatement Lien Notices with County Recorder's Office (Nuisance Abatement/Municipal Code Violations) for Non-Abatable Code Violations

Staff report submitted by Neighborhood Partnership Manager Sorensen, dated March 2, 2010, was filed.

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

Resolution 10-028, "Resolution Confirming the Report and Lien List Associated with Overdue Community Preservation Charges for the 2009 Calendar Year and First Quarter of the 2010 Calendar Year"

6. Resolution Expressing Appreciation for Gillig Corporation and Supporting Their Opportunity to Provide Transportation Products to Local and Regional Transportation Agencies

Staff report submitted by City Manager Jones, dated March 2, 2010, was filed.

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

Resolution 10-029, "A Resolution of the City Council of the City of Hayward Expressing Appreciation for Gillig Corporation and Supporting Their Opportunity to Provide Transportation Products to Local and Regional Transportation Agencies"

7. Adoption of Ordinance Amending Article 1 of Chapter 10 of the Hayward Municipal Code and Adopting New Approval Periods for Development Applications and Other Related Amendments

Staff report submitted by City Clerk Lens, dated March 2, 2010, was filed.

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

Ordinance 10-06, "An Ordinance Amending Article 1 of Chapter 10 of the Hayward Municipal Code and Adopting New Approval Periods for Development Applications and Other Related Amendments"

8. Adoption of Ordinance Amending Article 3 of Chapter 10 of the Hayward Municipal Code and Adopting New Approval Periods for Subdivision Map Applications and Other Related Amendments

Staff report submitted by City Clerk Lens, dated March 2, 2010, was filed.

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

Ordinance 10-07, "Ordinance Amending Article 3 of Chapter 10 of the Hayward Municipal Code and Adopting New Approval Periods for Subdivision Map Applications and Other Related Amendments"

9. Adoption of Ordinance Amending Section 8-15.04 and Section 10-16.30, Subsection(c), of the Hayward Municipal Code Relating to Provisions for Payment of Certain Development Fees

Staff report submitted by City Clerk Lens, dated March 2, 2010, was filed.

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

Ordinance 10-08, "An Ordinance Amending Section 8-15.04 and Section 10-16.30, Subsection (C), of the Hayward Municipal Code Relating to Provisions for Payment of Certain Development Fees"

10. Authorization for the City Manager to Execute a Professional Services Agreement for Design and Construction Administration Services for the Emergency Wells Supervisory Control and Data Acquisition (SCADA) Installation Project

Staff report submitted by Deputy Director of Public Works Ameri, dated March 2, 2010, was filed.

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



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Resolution 10-030, "Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Carollo Engineers for Design and Construction Administration Services for the Emergency Wells Supervisory Control and Data Acquisition (SCADA) Installation Project, Project No. 7171"

11. Authorization for the City Manager to Execute a Professional Services Agreement for Evaluation, Design, and Construction Administration Services for the Seismic Retrofit of D Street Reservoir Project

Staff report submitted by Deputy Director of Public Works Ameri, dated March 2, 2010, was filed.

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

Resolution 10-031, "Resolution Authorizing the City Manager to Negotiate and Execute A Professional Services Agreement with Simon Wong Engineering for Evaluation, Design and Construction Administration Services for the Seismic Retrofit of D Street Reservoir Project, Project No. 7161"

COUNCIL REPORTS

There were none.

ADJOURNMENT

Mayor Sweeney adjourned the meeting at 7:21 p.m., in memory of three Hayward friends: Donald LaPlante, Duncan Buchanan, and Bud Fields.

Mayor Sweeney indicated that Donald LaPlante, a long-time Hayward resident, served on the Planning Commission, the Board of Zoning Adjustments, and was active in the Schafer Park neighborhood. Council Member Dowling also noted that LaPlante was active at St. Bede Catholic Church. Council Member Zermeño provided information about the funeral service.

Mayor Sweeney mentioned that Duncan Buchanan was a longtime Fairway Park neighborhood activist and a member of St. Clement's Catholic Church. Council Member Halliday noted that Mr. Buchanan was a founding member of the Family Emergency Shelter Coalition (FESCO) and a member of Alameda County Homeless Continuum Care. He also participated in the most recent National Night Out.

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Council Member Henson noted that Mr. Bud Fields was a legend at the Hayward Airport and made sizable investments in the Airport and was a great business person.

Mayor Sweeney offered his condolences and asked City Manager Jones to work with the families to find a suitable location to plant a tree in memory of each one of them.

Mayor Sweeney adjourned the meeting at 7:21 p.m., to return to the Closed Session.

APPROVED:

Michael Sweeney, Mayor, City of Hayward

ATTEST:

Miriam Lens, City Clerk, City of Hayward