

**CITY COUNCIL MEETING
TUESDAY, DECEMBER 1, 2015**

DOCUMENTS RECEIVED AFTER PUBLISHED AGENDA

- 1 -

12/1/15
Tues.

Dear Hayward City Council:

I am a retired registered nurse caring for feral cats and wild life in our neighborhood in the Calhoun area close to the agricultural property with animals of Mr. Susano Zapata.

I am in favor of maintaining agricultural property in our Calhoun vicinity. Housing developments have affected the habitats or dwellings of wild life adversely. We should maintain agricultural properties in Hayward for farming purposes and providing homes for horses, dogs, etc. Please, be humane to all animals, & people by keeping agricultural properties.

I hope you change the zoning of allowing only 3

animals on Mr. Serano Zapada's agricultural property.

Mr. Serano Zapada's agricultural property benefits him, his family, friends and animals. With produce and a home for their animals (horses and pony), a place to hold fiestas for family, friends and neighbors in the community. My Christian friend who lives in the Colhoun Area was kindly treated by Mr. Serano Zapada at his fiestas. He thoroughly enjoyed it eating, watching the dancing horses, and listening to the band, etc.

My cousin and family members in Mexico have their home in the city and on weekends go out to their campos in the country and have their fiestas with family and friends. It's a tradition with ~~so~~ many Mexicans.

- 3 -

Mr. Saens Zapada is a ~~gentle~~ agricultural property benefits him, his family, friends and his animals and wild life in the area. I don't want it to be zoned for single family dwellings. We have enough houses in the area to allow for wild life and animals to exist.

In Proverbs 24:10 in the Bible it says we are to care for the beasts. We are to care for our kind wild life, for feral cats, horses, ponies, dogs, etc. God wants us to care for all innocent animals in our communities and outside our communities. We must be obedient to God's word in the Bible to be blessed by him in the the end, which I've been blessed in caring for feral cats and wild life. We should

express love and genuine
concern for kind animals.
I've had vicious feral cats
that I've tamed with love
and care.

Our Holy home is blessed
with innocence ~~have~~
having kittens which create
a loving, peaceful home.

Mr. Srano Zapata labors
in his ~~land~~ land to enjoy
the fruits of his labor.

Does the City of Hayward
need more tax money by
creating single family housing
developments & zoning? I
prefer Mr. Srano Zapata to
maintain his agricultural
property zoning, because he
would avoid paying high
property taxes.

God Bless.

Thanks to assistance from
Cong. Eric Swalwell and Assembly-
member Bill Quirk with

- 5 -

my search for affordable housing in the area last year came to fruition. It was an answer to prayer that we got a refurbished duplex with benevolent owners at an affordable rental price. We have been receiving blessing ever since.

God Bless,

Joni Maria Cordas

December 1, 2015

Carl Emura, ASLA, Associate Planner
City of Hayward, Planning Division
777 B Street, First Floor
Hayward, Ca 94541-5007

Dear Mr. Emura

We are writing on behalf of Mr. Aman Pohyar, pertaining to his appeal on the Denial of the Proposed Change from Agriculture to Residential. We had previously signed a petition that was circulated in our neighborhood opposing the zone change, due to a misunderstanding on our part. We thought that the reason for the change request was to allow an apartment dwelling to be built on that property. In talking to Mr. Pohyar, we are now clear on that issue. We would welcome the change and feel that it would bring a much needed improvement to that part of Calhoun Street.

We hereby formally inform you that **we now have no objection to the zone change** as requested by Mr. Pohyar.

If you have questions please call
Thank you for your attention

Sincerely;


Arthur Durazo


Rebecca Durazo

**CITY COUNCIL MEETING
TUESDAY, DECEMBER 1, 2015**

DOCUMENTS RECEIVED AT MEETING



HAYWARD UNIFIED SCHOOL DISTRICT

Building a Culture of Success



September 24, 2015

Stan "Data" Dobbs
Superintendent/CEO

Dr. Matt Wayne
Assistant Superintendent,
Educational Services

Dawn Riccoboni
Assistant Superintendent,
Business Services

Leticia Salinas
Assistant Superintendent,
Human Resources

Chien Wu-Fernandez
Assistant Superintendent,
Student & Family Services

Peter Rogosin
Executive Director,
Classified Human
Resources and
Personnel Commission

Board members.

Please allow me to apologize and explain my intense response at the last regular closed session meeting on September 16, 2015.

Some of you may have been startled when, instead of communicating in my usual professional "no-nonsense" manner, I became exasperated with some in attendance and raised my voice and used inappropriate language to describe my concerns related to employee treatment by Board members during parts of the session. Although I am confident as a result of my more than three decades of professional Naval and school administration services and training that I can maintain physical control at all times, I am aware that the strength of my personality might have caused others to feel uncomfortable.

I offer as an explanation, but not an excuse, information about what contributed to my elevated intolerance during our ardent discussion in this meeting. I had an emergency medical procedure scheduled that day. The preparation for the procedure left me with little sleep or food and I left the procedure medicated (someone drove me home). Some of you may have been aware of the procedure and that my doctor advised me to not return to work for a minimum of the remainder of the day. While I rested for several hours, I felt okay and determined not to miss a School Board meeting due to my commitment to the community, teachers, staff and students and did so afterward attended against the doctor's advice. I should have followed my doctor's orders.

As I have unfortunately joined the ranks of millions of the men awaiting a potential prognosis, I remain optimistic, but acknowledge that there may be more medical procedures ahead. Although I pray for the best, if I should need more medical attention, I will ensure that I will always follow doctors' orders regarding my stress levels and I will never push myself to come to work again in a weakened, medicated state.

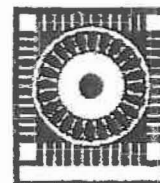
In short, please excuse me and be assured that this will not happen again. I have, on my own recognizant, taken (3) three days off to re-evaluate and examine all that has transpired and to make sure all medications have processed through my physical system. I am very passionate about the important work that we do together as a Governance Team and I thank you for the opportunity given to me to provide a world class educational experience to Hayward's children.

Sincerely,

Stan "Data" Dobbs
Superintendent & Chief Executive Officer



Case Report Summary



Print Date/Time: 10/01/2015 10:00
Login ID: otto.rodriguez
Case Number: 2015-00073638

ORI Number:

Hayward Police Department
CA0010600

Case

Case Number: 2015-00073638
Location: 777 B St
Hayward, CA 94541
Reporting Officer ID: 3808 - Martinez

Incident Type: Misc, Non Criminal
Occurred From: 09/16/2015 18:00
Occurred Thru: 09/16/2015 18:00
Disposition:
Disposition Date:
Reported Date: 09/16/2015 19:41 Wednesday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	FghtB	242 PC-M	Battery-Use Of Force Or Violence Upon Another	1
2	State	FghtB	242 PC-M	Battery-Use Of Force Or Violence Upon Another	194

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Informant	1	REYNOSO, LUIS ANTONIO	[REDACTED]		Hispanic	Male	
Other	1	Dobbs, Stanley	[REDACTED]		Black	Male	
Victim	1	McGee, William Lowell	[REDACTED]		Black	Male	
Witness	1	Taylor, John Isaac	[REDACTED]		Black	Male	
Witness	2	Brunner, Lisa	[REDACTED]		Hispanic	Female	

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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OfficerID: daniel.noble, Case Narrative**NARRATIVE:**

On 09/20/2015 around 1418 hrs, I was dispatched to [REDACTED] to receive a report of a physical altercation that occurred at the Hayward City Hall, located at 777 B St, on 09/16/2015. Upon my arrival, I met with (V) William McGee and he told me the following in summary:

McGee told me he was a school board trustee for the Hayward Unified School District. McGee stated on 09/16/2015 around 1815 hrs, he was involved in verbal and physical altercation with the Hayward Unified School District Superintendent, Stanley Dobbs [REDACTED]. McGee said the altercation occurred during a Hayward Unified School District closed session discussion meeting in the Hayward City Hall Council Chambers, located at 777 B St. McGee advised me the meeting was comprised of four other school board trustees: Annette Walker [REDACTED], John Taylor [REDACTED], Lisa Brunner [REDACTED], Luis Reynoso [REDACTED], the Superintendent Dobbs, and two unnamed non board trustee employees.

McGee told me that during the meeting Dobbs became upset and agitated at the discussion. McGee stated Dobbs felt that he was being verbally berated by Reynoso and stated "If you're going to berate me in front of my staff they need to leave, you need to talk to me. I'm tired of this shit." McGee said Dobbs then stood up from his chair and proceeded to the chamber door, telling the two employees "Come on you guys you need to leave." McGee told me he looked at Dobbs, who was now behind him to his right, as he opened the door for the employees to leave. McGee said when Dobbs opened the door he slammed the door open twice in an aggressive manner.

Due to the actions and behavior Dobbs was displaying, McGee told Dobbs that he needed to leave. Dobbs replied to McGee stating, "I'm not going fucking nowhere." McGee replied back to Dobbs stating, "No, you need to go outside." Dobbs again replied to McGee's comment stating, "I'm not going nowhere." At this point Dobbs then charged towards McGee, who was still seated in his chair, yelling and cursing at him. As Dobbs charged towards McGee, Dobbs bumped his lower chest/upper abdomen against McGee's right shoulder and stood over McGee. McGee advised me that he was still seated at this time and the two employees had already left the room.

→ McGee informed me that he believed Dobbs bumped into his right shoulder in an aggressive and malicious manner as to strike him. I asked McGee if Dobbs had any other physical contact with him and McGee confirmed there was no further physical contact between him and Dobbs. McGee stated while Dobbs stood over him, Dobbs was in close proximity to his face yelling and stated, "I've been dealing with motherfucking punks like you all day and I'm tired of it." McGee was unsure what Dobbs meant by his statement. McGee said as he and Dobbs were face to face, Dobbs was spitting on him but believed this was due to the close proximity and was not purposeful.

As Dobbs was still standing over McGee, McGee stated to Dobbs, "You need to get out of my face." At this time the other board trustees had stood up and were now attempting to intervene. McGee informed me that Reynoso attempted to calm the situation but Dobbs then turned his focus onto Reynoso and began to yell and curse at him. McGee stated Dobbs then walked over to Reynoso and pushed him. McGee described the push as an aggressive chest bump. Refer to Ofc K. Martinez's original case report for further details related to Reynoso.

● McGee stated as Dobbs stood over him he feared for his safety. I asked McGee why he feared for his safety. McGee said due to Dobbs' actions he had displayed and the initial physical contact he feared Dobbs may strike him. McGee told me he did not notice Dobbs make a fist or any other motions to strike him during the altercation but Dobbs did raise his hands up. McGee also stated this altercation was out of character for Dobbs and was unsure of why Dobbs was acting so aggressive towards him.

It should be noted that McGee and Dobbs have known each other for approximately four years. McGee described Dobbs and himself as having a similar build and size. McGee informed me that he believed Dobbs may attempt to physical harm him and/or damage his personal property. However, McGee told me Dobbs did not make any threats to physically assault him or damage any of his personal property and this was the first time an altercation of this nature had occurred with Dobbs.

After the altercation between Dobbs and the board trustees, Dobbs left the room on his own accord without any further incident. McGee informed me he later received a text message from Dobbs apologizing for his actions. At this time McGee has yet to respond to the text message.

I asked McGee if he would like to seek criminal prosecution against Dobbs for bumping him. McGee replied to my question stating he would like to seek legal council prior to making that decision and only wanted this incident document at this time. I asked McGee why he waited so long to report this incident and he advised today was the first day his work schedule allowed him to make the report.

While I spoke with McGee, I asked him if the bump from Dobbs injured him or if he required any medical attention. McGee advised me that he was not injured from the bump and declined medical attention. [REDACTED]

NARRATIVE:

On 09/16/2015, at approximately 1948 hours, I was dispatched to 777 B Street (City Hall) regarding a report of a disturbance. Upon my arrival, at approximately 1954 hours, I contacted (I) Luis Reynoso. He told me the following:

Reynoso is a school board trustee for the Hayward Unified School District. He is one of 5 board members. Today, during a "closed session" meeting in the City Hall Council Chambers, the Hayward Unified School District Superintendent, "Stan Dobbs" began to get very animated and argumentative during a debate. At one point during the debate, "Stan" stood up and approached one of the board members and began screaming at him from close proximity. Reynoso asked "Stan" to calm down and "Stan" walked over to Reynoso, continuing to scream. "Stan" then "puffed" his chest out and "chest bumped" Reynoso, while yelling and screaming. Reynoso described the "chest bump" as "Stan" standing over Reynoso with "Stan's" chest touching Reynoso's shoulder. Reynoso was not able to make out what "Stan" was saying. Reynoso stated he is much smaller than "Stan" and was fearful "Stan" would assault him. The rest of the board members asked "Stan" to leave and he did.

I asked Reynoso what had made him fearful during the incident and he explained that he was mainly scared due to the size difference between him and "Stan." Reynoso also explained some of the difficulties he had encountered during his political career including one of his vehicles being stolen and the tires to his vehicles being "slashed" approximately 17 times. Reynoso asked if we could go with him to his house in Castro Valley to make sure it was safe. I advised Reynoso to contact the Alameda County Sheriff's Office if he arrived home and observed any suspicious activity or felt police presence was necessary.

Reynoso stated he did not want "Stan" arrested but he did want someone to talk to him about his behavior. I asked Reynoso who "Stan's" supervisor was and he explained that the board members were. Reynoso stated the board members would have an additional "closed session" meeting tonight to discuss the incident and decide if any administrative actions would take place.

Reynoso stated he mainly wanted to document the incident to start a paper trail in case additional incidents occurred with "Stan."

Reynoso provided me with "Stan's" full name and title, as well as a possible phone number for him. Reynoso was unable to provide any further information for "Stan."

I asked Reynoso if he knew if the other board member who "Stan" had yelled at wanted to provide his information for the report and he said he was not sure. Reynoso went back into the Council Chambers and tried to contact the other board member but he was unable to.

I provided Reynoso with a Hayward Report Receipt and also explained to him that Sergeant Sill was the SRO supervisor and the point of contact for school district related issues. I advised Reynoso that Sergeant Sill would be forwarded a copy of the report.

I attempted to contact "Stan" via the phone number provided by Reynoso and I received a voicemail message which did not identify the number to "Stan Dobbs." I did not leave a voicemail due to the fact that I was unable to verify the number belonged to "Stan Dobbs."

Reynoso advised me that if any administrative actions were to take place against "Stan" and they felt police presence was necessary, he would contact Hayward PD.

End of Report - K. Martinez 409

After meeting with Reynoso I met with John Taylor, the President of the Board of Trustees at his office on Hesperian Blvd. This meeting was also recorded and later booked into evidence. Taylor was present at the closed session meeting and was adamant that no physical contact ever occurred between Dobbs and Reynoso or Dobbs and McGee.

Mr. Taylor explained that tensions rose when Reynoso began berating two of Dobbs's subordinates who were present at the meeting. Dobbs tried to re-direct the questioning and told Reynoso not to speak about them in this forum. If critique of their performance was needed, Dobbs would speak to them privately away from the board. Reynoso continued attacking Dobbs' employees and Dobbs got upset and yelled at him to stop. Dobbs got up and asked his two employees to leave the meeting and he escorted them to the exit, which was near where Reynoso was seated. As Dobbs walked the two women out of the room, Reynoso continued making inappropriate comments and Dobbs began using profanity but it was not directed at a person, but rather general statements made out of frustration. The other board members had gotten off track and Dobbs was using profanity when venting his frustration over the board losing focus to deal with these types of interruptions.

Taylor acknowledged that Dobbs lost his temper but that it was limited to a very brief, 7-10 seconds, verbal outburst which was not directed at any one particular member of the board. Dobbs had underwent surgery earlier in the day and was obviously more irritable than would normally be expected under these circumstances so Taylor asked him to step outside for a few moments to allow things to calm down.

Taylor again confirmed that there was never any physical contact between any of them during this brief verbal altercation. He added that Reynoso has a history of intentionally antagonizing past and current members of the Board of Trustees. Dobbs had intervened to prevent Reynoso from berating his employees in front of the board but lost his composure and interjected profanity out of frustration.

As I was preparing to leave this meeting Dobbs called Taylor and I was able to speak to him. Dobbs agreed to meet with me and asked to meet at the police department because their office was preparing for a graduation ceremony and he preferred to meet away from the festivities.

I arrived at the police department at 1735 hrs. and found Dobbs seated in the lobby. Dobbs and I spoke in a private room in the lobby of the police department. These rooms are in the public waiting area of the lobby and cannot be locked to prevent someone inside from leaving. At the beginning of the meeting I gave Dobbs a Beheler Admonishment ensuring that he understood that he was here voluntarily and not under arrest, and was free to leave at any time during our meeting. I demonstrated that the door was not locked and added that he did not have to answer any questions that he wasn't comfortable addressing at this time. He understood this admonishment and agreed to speak with me.

Mr. Dobbs account of the incident was very similar Mr. Taylor's. In summary, Dobbs said that he has spoken to Reynoso in the past about his unnecessarily aggressive questioning of employees. His accusatory tones are perceived as hostile and aggressive. During this meeting Reynoso began addressing two female employees of Dobbs with such an aggressive and harsh demeanor that Dobbs intervened and told Reynoso not to address his employees in front of the Board of Trustees. Dobbs felt that critique of this degree, if warranted, should be passed down to them by him outside of this closed session. Reynoso would not stop and persisted to antagonize them, ultimately leading to one of the woman to swell up with tears.

Dobbs admits that he was irritable because of his surgery earlier in the day and he lost his temper and began swearing at the board members. He was frustrated, in part, because Reynoso's unwarranted verbal attack of these two women had distracted from the agenda of the meeting, served no purpose, and was not appropriate. This is a reoccurring practice of Reynoso's and he feels it is designed to distract from the agenda.

Dobbs got up and asked the two women to step outside. As he was escorting them to the door, Reynoso kept making antagonizing remarks and Dobbs snapped at him. The door was directly behind where Reynoso was seated so as he yelled at Reynoso he was in close proximity. Dobbs said that he intentionally kept his hands clasped in front of him lowered below his belt line to intentionally avoid giving any indication of physical intimidation. He admits to using profanity but denies ever having any physical contact with Reynoso, McGee, or any other board member. He added that he did not leave his chair to confront Reynoso, he just happened to be sitting near the door where Dobbs had escorted their subordinates out of the meeting.

This conversation was also recorded and later booked into evidence.

Based on my investigation I don't believe that the contact that Reynoso demonstrated during our meeting was sufficient enough to constitute a battery. This was further substantiated by Reynoso's admission that he did not believe that the contact was malicious. Furthermore, Reynoso stated that Dobbs did not actually threaten him.

Taylor, the President of the Board of Trustees, was present during this incident and can attest that Dobbs did not touch Reynoso and their disagreement was limited to a heated verbal exchange. Additionally the e-mail that Reynoso provided from McGee to the board directly addresses the incident that occurred on the 16th. It speaks to the fact that Dobbs was yelling and hovering over him (McGee) in a threatening manner and asks that the board convene to discuss the "next step" yet makes no reference to the assault on Reynoso which in my estimation would have been to most point of note had it occurred in the presence of the board.

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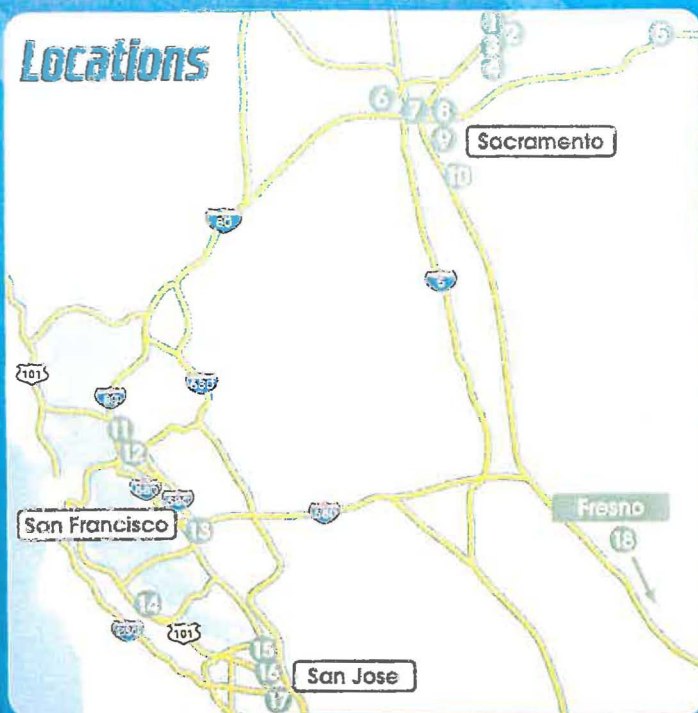


Locations & directions



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Locations



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3. Citrus Heights - 7741 Auburn Blvd (Shell Station)
4. Citrus Heights - 7901 Madison Ave (Shell Station)
5. Placerville - 151 Main St (Shell Station)
6. West Sacramento - 705 Harbor Pointe Pl (Chevron)
7. Sacramento - 1101 Broadway (Valero Station)
8. Sacramento - 8090 Folsom Blvd (Shell Station)
9. Sacramento - 8062 Florin Road (Shell Station)
10. Elk Grove - 9190 E Stockton Blvd (Shell Station)

BAY AREA

11. Berkeley - 849 University Ave (76 Station)
12. Oakland - 350 Grand Ave (Chevron Station)
13. Fremont - 39707 Paseo Padre Pkwy (Chevron Station)
14. Redwood City - 503 Whipple Ave (Valero Station)
15. San Jose - 790 Montague Expy (Chevron Station)
16. San Jose - 1002 N 1st Street (76 Station)
17. San Jose - 735 W Capitol Expy (Chevron Station)

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