



**MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF  
THE CITY OF HAYWARD  
Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, October 3, 2017, 7:00 p.m.**

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

**ROLL CALL**

Present: COUNCIL MEMBERS Zermeño, Márquez, Mendall, Peixoto, Lamnin, Salinas  
MAYOR Halliday  
Absent: None

**PRESENTATION**

Mayor Halliday presented the Key to the City of Hayward and a "Rosie Rios Appreciation Day" proclamation to former Treasurer of the United States, Rosa "Rosie" Rios, in honor of her achievements, historic impact on the empowerment of women, and her unyielding dedication to serving the people of the United States, State of California, Alameda County, and the City of Hayward. Ms. Rios accepted the recognition and thanked the Council for such an honor.

Mayor Halliday read a proclamation recognizing the month of October 2017 and every October thereafter as National Domestic Violence Awareness Month; and presented proclamations to Ruby's Place and to Safe Alternatives to Violent Environments (SAVE). Mayor Halliday noted that Ruby's Place was also celebrating its 45<sup>th</sup> Anniversary. Ruby's Place Executive Director, Vera Ciammetti, and SAVE Executive Director, Jaski Safinya- Davies, accepted the certificates on behalf of their agencies.

**PUBLIC COMMENTS**

Mr. Kim Huggett, Hayward Chamber of Commerce President, spoke about the Chamber's Business and Membership Guide; the 32<sup>nd</sup> Annual Business Expo on October 11, 2017, at the St. Rose Hospital's Grand White Tent; and the Mariachi Festival on September 16, 2017.

Ms. Heather Reyes, Hayward resident, reported her car was totaled at the intersection of Winton and Stonewall Avenues, added the 880 off-ramp onto Winton Avenue is a hazard, and inquired if a traffic study was conducted for that area.

Mr. Jim Drake, Hayward resident, spoke about the Downtown's loop, bike lanes on thoroughfares, and repair of potholes.

**CONSENT**

1. Minutes of the City Council Meeting on September 19, 2017 **MIN 17-129**

It was moved by Council Member Mendall, seconded by Council Member Márquez, and carried unanimously, to approve the minutes of the City Council meeting on September 19, 2017.

2. Resignation of Ms. Linda Dobb from the Keep Hayward Clean and Green Task Force **CONS 17-605**

Staff report submitted by City Clerk Lens, dated October 3, 2017, was filed.

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

Resolution 17-148, "Resolution Accepting the Resignation of Linda Dobb from the Keep Hayward Clean and Green Task Force"

3. Resignation of Syed Karim from the Downtown Business Improvement Area Advisory Board **CONS 17-613**

Staff report submitted by City Clerk Lens, dated October 3, 2017, was filed.

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

Resolution 17-149, "Resolution Accepting the Resignation of Syed Karim from the Downtown Business Improvement Area Advisory Board"

**LEGISLATIVE BUSINESS**

4. Adopt Resolution Changing Street Name from Tuskegee Drive to Tuskegee Airmen Drive (Report from Public Works Director Fakhrai) **LB 17-041**

Staff report submitted by Public Works Director Fakhrai, dated October 3, 2017, was filed.

Public Works Director Fakhrai provided a synopsis of the staff report.

Mayor Halliday opened the public hearing section at 7:38 p.m.



**MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF  
THE CITY OF HAYWARD  
Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, October 3, 2017, 7:00 p.m.**

Mr. David Cunningham, Tuskegee Airmen Chapter President, thanked the City for changing the name of the street from Tuskegee Drive to Tuskegee Airmen Drive.

Mayor Halliday closed the public hearing section at 7:39 p.m.

Council Member Mendall offered a motion per staff's recommendation. Council Member Mendall apologized for the oversight with the initial street naming, and acknowledged the name change would cause a short-term inconvenience.

Council Member Zermeño seconded the motion.

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

Resolution 17-150, "Resolution Changing the Name of Tuskegee Drive to Tuskegee Airmen Drive"

**PUBLIC HEARING**

5. Proposed Subdivision and Construction of 35 Townhomes and a Mixed-Use Building of 39 Apartment Units with 1,020 square feet of Ground Floor Commercial Use on a 2.7-Acre Project Site Located at 26601 Mission Boulevard (West Side, North of Sorenson Road) Assessor Parcel Number (APN) 452-0036-30-05, Requiring: 1) Approval of an Amendment to South Hayward BART/Mission Boulevard Form-Based Zoning Code (Article 24) to Allow Residential Density Transfer/Averaging Among Like-Zoned Development Sites in the Urban General transect zones T4 (17.5 DU/Acre min; to 35 DU/Acre max) and T5 (35 DU/Acre min; to 55 DU/Acre max); 2) Site Plan Review; 3) Warrants for: (a) Roof Pitch, (b) Excess Parking in the T4 zone, (c) Glazing Less than 30% for the First Story along Mission Boulevard, and (d) Parking within the Layer 2 Setback Area; 4) Vesting Tentative Map 8335 Associated with the Subdivision; and 5) Mitigated Negative Declaration. KB Home (Applicant) and DNS Capital Partners LLC/Robert Telles (Owner/Applicant). Application No. 201601022 (Report from Interim Development Services Director Bristow) **PH 17-087**

Staff report submitted by Interim Development Services Director Bristow, dated October 3, 2017, was filed.

Consulting Planner Porto provided a synopsis of the staff report, and noted there was an amendment to Condition of Approval 52k that would allow the HOA to monitor and enforce the requirement. The revised Condition No. 52k would read as follows, "The garage... storage areas. The HOA shall monitor and enforce this requirement. An automatic garage...doors."

Discussion ensued among Council Members and City staff regarding the proposed project; Condition of Approval No. 82; affordable housing; mixed-use for the apartment; the survey conducted; Mission Boulevard Corridor Form-Based Code; Inclusionary Housing Ordinance; universal design; and retail space.

Mayor Halliday opened the public hearing section at 8:07 p.m.

Mr. Robert Telles, owner/applicant, spoke about the proposed project, explained why retail space was not viable for the proposed area, and addressed questions from the Council.

Mr. Brad Blake, with Blake/Griggs Properties, noted there would not be demand for retail at the proposed location due to economic and location constraints, and Hayward had a supply of retail overall.

Mr. Jose Hernandez, Colette Street resident, did not support the proposal because it would obstruct the view from his backyard and would impact existing traffic in the area.

Mayor Halliday closed the public hearing section at 8:19 p.m.

The City Council generally agreed that the proposed project did not have the needed affordable housing and did not have retail space. While the only benefit of the project was that it would demolish an eyesore at a main gateway, there were no overall benefits to the community. Council Members also indicated that the proposed project did not have a community park/tot lot; had an insignificant amount of commercial space; had no significant green building features; lacked parking requirements; created view impacts; did not conform to the vision in the Mission Boulevard Form-Based Code; the economic development vision was not being fully realized; did not include universal design; and did not address the complete streets/complete communities strategic initiatives.

Council Member Mendall offered a motion directing staff to bring back findings to support denial of the proposed project.

Council Member Zermeño seconded the motion.

City Manager McAdoo recommended that the public hearing be continued to November 14, 2017, so staff did not have to re-notice the public hearing.

Council Members Mendall and Zermeño were amenable to modifying the motion to include that the public hearing item would be continued to November 14, 2017.

Council Member Márquez suggested that the project applicant and the Council follow up with the City Manager about a conceptual review work session to obtain feedback from Council. Council Member Márquez also suggested having conversations with California State University, East Bay about their housing needs.



**MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF  
THE CITY OF HAYWARD  
Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, October 3, 2017, 7:00 p.m.**

Council Member Lamnin encouraged staff to continue to work with the property owner to conduct an outreach and enforcement approach on the property.

Mayor Halliday allowed the project applicant to speak.

Mr. Robert Telles, owner/applicant, expressed he had done everything he could to develop his property with economic limitations.

It was moved by Council Member Mendall, seconded by Council Member Zermeño, and carried unanimously, to continue the public hearing to November 14, 2017, and direct staff to bring back findings to support denial of the proposed project.

### **INFORMATION ITEMS**

#### **6. Status Update for Bloomberg What Works Cities Initiative RPT 17-120**

Staff report submitted by Management Analyst II Stefanski, dated October 3, 2017, was filed.

City Manager McAdoo provided highlights from the written report that was provided to the City Council.

### **CITY MANAGER'S COMMENTS**

There were none.

### **COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Council Member Márquez stated that during the public comments section of the work session she asked staff to provide an update on the current housing issues in the community and, with Council's concurrence, staff agreed to bring an item to Council on October 17, 2017.

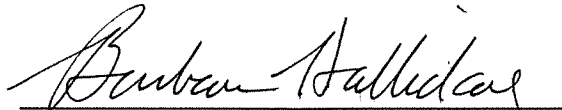
Mayor Halliday noted the Council will be participating in the 40<sup>th</sup> Annual Volunteer Recognition and Awards Dinner at the St. Rose Hospital Grand White Tent on October 10, 2017.

### **ADJOURNMENT**

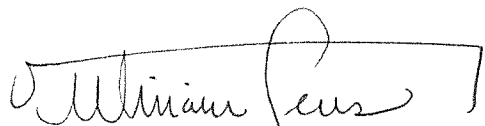
Mayor Halliday asked for a moment of silence in memory of those who have suffered from the recent tragedies in Houston, Florida, Puerto Rico, and Las Vegas; and adjourned the meeting at 8:57 p.m., in honor of those who have lost their lives during the recent tragedies and with hope for those who continue to struggle to survive and rebuild their lives.

Mayor Halliday noted the next special City Council meeting would be on Saturday, October 14, 2017, regarding the long-term budget outlook.

**APPROVED:**

  
\_\_\_\_\_  
Barbara Halliday  
Mayor, City of Hayward

**ATTEST:**

  
\_\_\_\_\_  
Miriam Lens  
City Clerk, City of Hayward