

CITY COUNCIL MEETING

DECEMBER 16, 2025

**DOCUMENTS RECEIVED
AFTER PUBLISHED
AGENDA**

Item #9

CONS 25-569

**Side Letter Agreements -
International Association of
Firefighters Local 1909 and
Hayward Fire Officers
Association**

From: [Carlos Saavedra](#)
To: [List-Mayor-Council](#)
Subject: CITY COUNCIL MEETING DEC 16th PUBLIC COMMENT - OPPOSITION to Agenda Topic 9 CONS 25-569: Fire Union Side Letter Agreement
Date: Monday, December 15, 2025 9:50:09 PM

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

To the Honorable Mayor and Members of the Hayward City Council:

I am writing to submit formal public comment in **strong opposition** to Agenda Topic 9 CONS 25-569, the proposed Side Letter Agreements with the International Association of Firefighters, Local 1909 and the Hayward Fire Officers Association.

My opposition is based on a thorough review of the city's own financial statements, an active federal lawsuit, and the profound lack of transparency surrounding this vote.

1. The "Savings" Are an Illusion That Ignores a Massive, Active Liability.

The side letter claims of "\$6 million in savings" is mathematically and strategically bankrupt.

- **It Trades Safety for Pennies:** \$2 million comes from "browning-out" fire companies, degrading emergency response for nominal, temporary budget relief. This moves the City further away from nationally recognized NFPA 1710 response benchmarks, without any formal determination of whether the City and Fire Department are knowingly jeopardizing public safety to close a budget gap. This is not fiscal management; it is a dangerous stopgap.
- **It Creates Future Debt:** The rest defers a 3.82% raise, which the city will owe later, while adding at least \$1 million in new annual benefit costs starting in 2028. Financially, this is a losing proposition: the City is effectively taking on over \$14 million in new long-term debt to achieve less than \$6 million in temporary budget relief. At a 7% discount rate, this creates a \$14M+ present value liability. This is financial mismanagement.
- **It Ignores the Real Issue:** This deal is being negotiated while the city faces an active federal lawsuit from the same firefighters (*Ghali, et al. v. City of Hayward*, Case No. 4:25-cv-01116). The plaintiffs allege willful, years-long underpayment of overtime and seek three years of back pay plus liquidated damages—a potential liability dwarfing this side letter's "savings." You are voting to tinker with future pay while ignoring a past debt that could be orders of magnitude larger. This is negligent governance.

2. This Process Demonstrates a Clear Conflict of Interest.

The Council's closed session today is to discuss the very *Ghali v. Hayward* lawsuit. To then emerge and vote on a financial side agreement with the **same union that is suing the city** creates a profound conflict of roles and incentives. The public cannot

have confidence in a deal struck under the shadow of active litigation, where the city's leverage is compromised by its potential multi-million dollar liability.

Under the City's own Long Range Financial Forecasting Policy, you are required to model and disclose 5–10 years of operating revenues and expenditures for key funds and clearly state the underlying assumptions. Yet the staff report for CONS 25-569 provides only a short-term 'savings' narrative and does not show the full 10-year impact of the deferred raises and new benefit costs on the General Fund long-range model.

3. The Council is Voting Without Critical Information.

To properly evaluate any financial agreement, the public needs to see the city's spending patterns and internal financial controls. I filed CPRA requests for exactly this information including vendor contracts, interfund transfers, the latest ACFRs, and audit letters resulting in the city having responded with an unlawful delay to January 5, 2026, providing no valid legal justification.

You are asking the public to trust a multi-million dollar labor agreement while simultaneously withholding the foundational documents that would show the city's true financial condition. This prevents any meaningful public analysis of whether this agreement is prudent or merely cosmetic.

Under Gov. Code § 7922.535(a)–(c), the City had ten days to determine whether my request sought disclosable records and, if invoking an extension, could extend that determination by at most fourteen days, with a written notice explaining the 'unusual circumstances' and stating the date the determination would issue. Instead, the City unilaterally set a January 5, 2026 date well beyond the statutory maximum and did so **without citing any of the limited 'unusual circumstances'** recognized in § 7922.535(c). That is not a lawful extension; it is an unlawful delay.

Separately, I must emphasize that the City's current response to my Public Records Act request is not a mere "delay" but a **facial violation of Gov. Code § 7922.535**. The statute allows ten days for a determination and, at most, an additional fourteen days in defined "unusual circumstances," with written reasons. The City's unilateral extension of the determination date to January 5, 2026, without identifying any statutory unusual circumstance and far beyond the 14-day maximum, is not authorized by law. Proceeding with CONS 25-569 while this violation remains unresolved compounds the risk: you are voting on a multi-million-dollar labor agreement while knowingly remaining out of compliance with the Public Records Act's core procedural safeguards. This comment is submitted not only for tonight's deliberation, but to preserve a clear public record of that noncompliance should judicial enforcement of the Public Records Act become necessary.

4. The Agreement Ignores the Core Insolvency Driver.

Crucially, this side letter does **nothing** to address the city's core insolvency driver: the **\$597 million (and growing) unfunded net pension and OPEB liabilities** documented in the FY 2024 CAFR. Tinkering at the edges of a \$30 million

deficit while ignoring a \$600 million debt is not a solution; it is a direct path to municipal bankruptcy.

My Demand

Therefore, I demand that the City Council either:

- **Postpone the vote on CONS 25-569** until the requested financial documents are publicly released and the potential liability from the *Ghali* lawsuit is fully disclosed and accounted for, or
- If you proceed with the vote, you must publicly commit, on the record, to agendizing a discussion at your very next meeting on the **specific fiscal thresholds that will trigger a declaration of fiscal emergency**, enabling the renegotiation of all employment contracts to achieve permanent, structural solvency.

California's fiscal-emergency framework (Gov. Code §§ 53760, 53760.5) explicitly links municipal insolvency to circumstances where a city's financial condition "jeopardizes the health, safety, or well-being of residents." By adopting a budget strategy that deliberately reduces minimum fire staffing and browns out companies for short-term savings, the City is, by definition, using public safety as a budget-balancing tool. If you believe these brownouts do not jeopardize health and safety, you should state that on the record and produce the analysis that supports that conclusion. If, on the other hand, you acknowledge that they do increase risk, then the only responsible path consistent with state law is to initiate a structured, transparent fiscal-emergency discussion rather than continue to layer on long-dated compensation obligations in a vacuum.

By knowingly trading away emergency response capacity and adding long-dated compensation obligations against the backdrop of a documented \$597 million unfunded liability, without any articulated plan for the fiscal-emergency scenarios contemplated in Gov. Code §§ 53760 and 53760.5, the City is willfully ignoring the state's own framework for dealing with insolvency. Those facts will be highly relevant if, in the future, the City seeks to issue additional debt, raise taxes, or invoke fiscal-emergency powers while claiming that these risks were unforeseeable.

Public commitment to a fiscal-emergency discussion is not merely a request; it is aligned with the state's mandatory process for municipalities facing insolvency, which is designed to force good-faith negotiations before a crisis point. You cannot demand public trust while withholding public information and ignoring existential debts. The math is clear and the public's right to know is law. I urge you to choose transparency and address the real problem.

Kind regards,

Carlos Noe Saavedra, CFA

Item #11

PH 25-049

Phenos Hayward

From: [Soufyan AbouAhmed](#)
To: [List-Mayor-Council](#)
Subject: Proposed dispensary
Date: Monday, December 15, 2025 5:12:12 PM
Attachments:

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Apologies, attachments didn't work on my last email.

My name is Soufyan AbouAhmed, and I am the founder and CEO of Garden of Eden, located 21227 Foothill Blvd, Hayward, CA. 94541. Garden of Eden, has been operating in this location for over 23 years and I am proud to have been one of the first licenses granted by the County of Alameda. We have built a very strong business near your City, with most of our customers coming from the City of Hayward and many of our employees residing in Hayward.

For several months now, I have watched the conversion of the Walgreens on the corner of Grove Way and Foothill transform into what appears to be a "big box" type of cannabis dispensary, just needing a CUP to open their doors.

This is very concerning to me, to other cannabis dispensaries in the area, to our customers, to many local residents as well as many local businesses. Over saturation of cannabis in the neighborhood, unfair strain on longstanding Hayward operators, protecting diverse business culture and the integrity of the Cannabis Licensing Process are some of the key points that have brought the Cannabis industry together to work in partnership to oppose the Planning Commissions approval of this CUP.

Attached to this email you will find 3 documents.

1. A petition signed by local Cannabis Dispensary Operators in Hayward, San Leandro, Union City and Unincorporated Alameda County against granting this CUP. at the proposed location.
2. A petition signed by hundreds of customers who either live and work in Hayward who are against the granting of this CUP at the proposed location.
3. A petition signed by 41 local businesses with a 1 mile radius of the proposed dispensary against the granting of a CUP at this location.
4. Unruly behavior by applicant Angilbert Sarkis

In closing I would humbly ask that you support the Planning Commissions decision and deny the applicants CUP. Once again, we are not opposed to the issuing of another Permit to dispense cannabis in the City of Hayward, we are simply opposing this location for the issues I have raised, and the applicant / operator, who the industry recognizes as an operator that does not always act in accordance with the local rules and regulations, thus making all of us law abiding, tax paying and high employee retained operators look bad.

Thank you for your time.

Soufyan Abou Ahmed
CEO / Founder

Petition of Hayward Cannabis Operators Coalition Opposing Proposed Retail Dispensary
(Available by contacting the City Clerk's Office at 510-583-4400)

Community Petition to Oppose Proposed Cannabis Dispensary
(Available by contacting the City Clerk's Office at 510-583-4400)

Local Businesses' Petition to Oppose Proposed Zoning
(Available by contacting the City Clerk's Office at 510-583-4400)



STATE OF CALIFORNIA
FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO CA 94257-0540

Entity Status Letter

Date: 9/18/2025

ESL ID: 7279434304

Why You Received This Letter

According to our records, the following entity information is true and accurate as of the date of this letter.

Entity ID: 4000046

Entity Name: GREAM ENTERPRISES, INC.

- ☐ 1. The entity is in good standing with the Franchise Tax Board.
- ☒ 2. The entity is **not** in good standing with the Franchise Tax Board.
- ☐ 3. The entity is currently exempt from tax under Revenue and Taxation Code (R&TC) Section 23701 .
- ☐ 4. We do not have current information about the entity.
- ☐ 5. The entity was administratively dissolved/cancelled on _____ through the Franchise Tax Board Administrative Dissolution process.

Important Information

- This information does not necessarily reflect the entity's current legal or administrative status with any other agency of the state of California or other governmental agency or body.
- If the entity's powers, rights, and privileges were suspended or forfeited at any time in the past, or if the entity did business in California at a time when it was not qualified or not registered to do business in California, this information does not reflect the status or voidability of contracts made by the entity in California during the period the entity was suspended or forfeited (R&TC Sections 23304.1, 23304.5, 23305a, 23305.1).
- The entity certificate of revivor may have a time limitation or may limit the functions the revived entity can perform, or both (R&TC Section 23305b).

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CV-24-009363



DC MODESTO LLC vs SARKIS, ANGILBERT

Case Information

Case Type: Business Tort: Unlimited
Case Number: CV-24-009363
Filing Date: 11/19/2024
Case Status: Open
Court Location: Unlimited

PARTIES

Show
All
entries

Search:

▲ Type	First Name	Middle Name	Last Name
Appellant	ANGILBERT		SARKIS
Defendant	ANGILBERT		SARKIS
Defendant			PHENOS COLLECTIVE INC
Defendant			PATIENT CARE FIRST INC
Plaintiff			DC MODESTO LLC
Plaintiff			CV MERCED INC
Plaintiff			CV MCHENRY INC
Respondent on Appeal			DC MODESTO LLC
Respondent on Appeal			CV MERCED INC
Respondent on Appeal			CV MCHENRY INC

Showing 1 to 10 of 10 entries

Attorneys

Show
All
entries

Search:

▲ Representing	First Name	Middle Name	Last Name
CV MCHENRY INC	CHRISTOPHER		FROST
CV MERCED INC	CHRISTOPHER		FROST
DC MODESTO LLC	CHRISTOPHER		FROST
PATIENT CARE FIRST INC	MICHAEL	S	WARDA
PHENOS COLLECTIVE INC	MATTHEW	M	HOESLY

▲ Representing	First Name	Middle Name	Last Name
PHENOS COLLECTIVE INC	CHRISTOPHER	G	RENNER
ANGILBERT SARKIS	OGNIAN		GAVRILOV

Showing 1 to 7 of 7 entries

Previous 1 Next

EVENTS

Show

All 
entries

Search:

▼ File Date	File Type	Associated Party	Documents
9/15/2025	Answer	PHENOS COLLECTIVE INC,	
9/15/2025	Answer	PATIENT CARE FIRST INC,	
9/5/2025	Party Appeared by Audio/Video		
8/28/2025	Reply to Opposition	PHENOS COLLECTIVE INC, PATIENT CARE FIRST INC,	
8/22/2025	Opposition to Demurrer	DC MODESTO LLC, CV MERCED INC, CV MCHENRY INC,	
8/12/2025	Order After Hearing		
8/12/2025	Stipulation		
8/11/2025	Party Appeared by Audio/Video		
8/7/2025	Notice of Demurrer	PHENOS COLLECTIVE INC, PATIENT CARE FIRST INC,	
8/7/2025	Declaration of Demurring Party	PHENOS COLLECTIVE INC, PATIENT CARE FIRST INC,	
8/7/2025	Proof of Service		
7/30/2025	Case Management Conference Statement	PATIENT CARE FIRST INC,	
7/28/2025	Case Management Conference Statement	PHENOS COLLECTIVE INC,	
7/25/2025	Case Management Conference Statement	DC MODESTO LLC, CV MERCED INC, CV MCHENRY INC,	
7/25/2025	Case Management Conference Statement	ANGILBERT SARKIS,	
7/25/2025	Proof of Service		
7/23/2025	Amended Complaint	DC MODESTO LLC, CV MERCED INC, CV MCHENRY INC,	
7/2/2025	Application to Appear Pro Hoc Vice	PHENOS COLLECTIVE INC,	
7/1/2025	Party Appeared by Audio/Video		
7/1/2025	Party Appeared by Audio/Video		
6/27/2025	Pleading Document	PHENOS COLLECTIVE INC,	

From:

Sent: Monday, December 15, 2025 2:56 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: City Business Against the Dispensary

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Sana Kim Owner Hills Coffee on Foothill

ACME Car Repair (Unincorporated Alameda County) but will be directly impacted by traffic!!

I am a business owner on Foothill Blvd, and I respectfully urge you to reject the proposed mega-dispensary at the former Walgreens site for two key reasons.

First, the traffic and safety impacts would be severe. My staff and customers already navigate a heavily traveled Foothill Blvd. Adding a business projecting 2,000 customers per day would fundamentally change the character of this corridor, turning it from a neighborhood-serving business area into an industrial-scale operation. Even the applicant acknowledges this by budgeting over \$100,000 for security cameras and armed guards—an indication of the problems they expect their business to attract.

Second, approving another dispensary at one of the city's major gateways sends the wrong message about Hayward. A cluster of three dispensaries concentrated at the entrance and exit of the city shapes a negative perception for residents, visitors, and potential investors. Instead of showcasing diverse, thriving businesses, Hayward risks being perceived primarily as a cannabis corridor.

Heavy customer volume, spillover parking, and the elevated security presence this business anticipates will all directly affect nearby businesses and the overall sense of safety and professionalism along Foothill Blvd.

The Planning Commission heard these concerns and voted 5-1 against the proposal. I urge you to support your constituents, protect the business environment, and safeguard the image of our city.

Hayward deserves better than becoming known as a cannabis destination zone.

Sincerely,

Sana Kim

Hills Coffee Shop

I am a business owner on Foothill Blvd, and I respectfully urge you to reject the proposed mega-dispensary at the former Walgreens site for two key reasons.

First, the traffic and safety impacts would be severe. My staff and customers already navigate a heavily traveled Foothill Blvd. Adding a business projecting 2,000 customers per day would fundamentally change the character of this corridor, turning it from a neighborhood-serving business area into an industrial-scale operation. Even the applicant acknowledges this by budgeting over \$100,000 for security cameras and armed guards—an indication of the problems they expect their business to attract.

Second, approving another dispensary at one of the city's major gateways sends the wrong message about Hayward. A cluster of three dispensaries concentrated at the entrance and exit to the city shapes a negative perception for residents, visitors, and potential investors. Instead of showcasing diverse, thriving businesses, Hayward risks being perceived primarily as a cannabis corridor.

Heavy customer volume, spillover parking, and the elevated security presence this business anticipates will all directly affect nearby businesses and the overall sense of safety and professionalism along Foothill Blvd.

The Planning Commission heard these concerns and voted 5-1 against the proposal. I urge you to support your constituents, protect the business environment, and safeguard the image of our city.

Hayward deserves better than becoming known as a cannabis destination zone.

Sincerely,

Parker Tollett
Pome Car Service

From:

Sent: Tuesday, December 16, 2025 11:21 AM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: Two more Hayward businesses opposing the Dispensary

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Two more businesses

New National Mattress

21354 Foothill Blvd, in City Hayward

Blue Wagon Landscape

21370 Foothill Blvd., in City of Hayward

I am a business owner on Foothill Blvd, and I respectfully urge you to reject the proposed mega-dispensary at the former Walgreens site for two key reasons.

First, the traffic and safety impacts would be severe. My staff and customers already navigate a heavily traveled Foothill Blvd. Adding a business projecting 2,000 customers per day would fundamentally change the character of this corridor, turning it from a neighborhood-serving business area into an industrial-scale operation. Even the applicant acknowledges this by budgeting over \$100,000 for security cameras and armed guards—an indication of the problems they expect their business to attract.

Second, approving another dispensary at one of the city's major gateways sends the wrong message about Hayward. A cluster of three dispensaries concentrated at the entrance and exit of the city shapes a negative perception for residents, visitors, and potential investors. Instead of showcasing diverse, thriving businesses, Hayward risks being perceived primarily as a cannabis corridor.

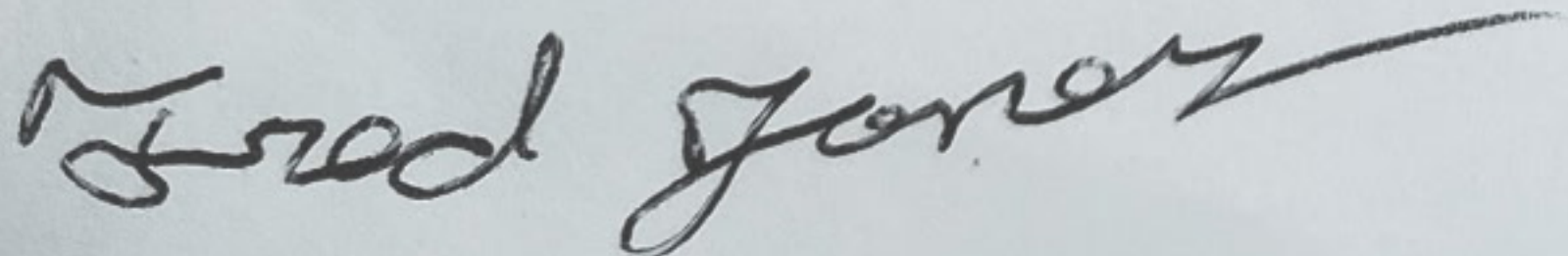
Heavy customer volume, spillover parking, and the elevated security presence this business anticipates will all directly affect nearby businesses and the overall sense of safety and professionalism along Foothill Blvd.

The Planning Commission heard these concerns and voted 5–1 against the proposal. I urge you to support your constituents, protect the business environment, and safeguard the image of our city.

Hayward deserves better than becoming known as a cannabis destination zone.

Sincerely,

Fred Jones
New National



I am a business owner on Foothill Blvd, and I respectfully urge you to reject the proposed mega-dispensary at the former Walgreens site for two key reasons.

First, the traffic and safety impacts would be severe. My staff and customers already navigate a heavily traveled Foothill Blvd. Adding a business projecting 2,000 customers per day would fundamentally change the character of this corridor, turning it from a neighborhood-serving business area into an industrial-scale operation. Even the applicant acknowledges this by budgeting over \$100,000 for security cameras and armed guards—an indication of the problems they expect their business to attract.

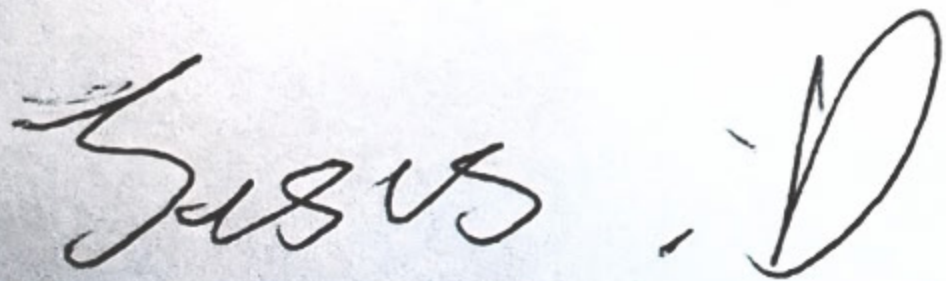
Second, approving another dispensary at one of the city's major gateways sends the wrong message about Hayward. A cluster of three dispensaries concentrated at the entrance and exit of the city shapes a negative perception for residents, visitors, and potential investors. Instead of showcasing diverse, thriving businesses, Hayward risks being perceived primarily as a cannabis corridor.

Heavy customer volume, spillover parking, and the elevated security presence this business anticipates will all directly affect nearby businesses and the overall sense of safety and professionalism along Foothill Blvd.

The Planning Commission heard these concerns and voted 5–1 against the proposal. I urge you to support your constituents, protect the business environment, and safeguard the image of our city.

Hayward deserves better than becoming known as a cannabis destination zone.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan D." with a stylized flourish at the end.

From:

Sent: Monday, December 15, 2025 1:13 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: Foothill Dispensary opposition

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

I am a business owner on Foothill Blvd and owner of Real Estate in the area. I respectfully urge you to reject the proposed mega-dispensary at the former Walgreens site for two critical reasons.

Traffic and Safety Concerns. The impact on traffic and safety would be significant. My staff and customers already navigate a busy Foothill Blvd. Introducing a business expected to draw 2,000 customers daily would drastically alter the character of this area, shifting it from a neighborhood-friendly business district to an industrial-scale operation. Even the applicant recognizes this, having allocated over \$100,000 for security measures suggesting a troubling expectation of potential issues.

Negative Perception of Hayward. Allowing another dispensary at a major gateway sends a detrimental message about Hayward. The concentration of three dispensaries at the north and southern downtown entrances could shape a negative perception among residents, visitors, and potential investors. Rather than showcasing a diverse array of thriving businesses, Hayward risks being seen primarily as a cannabis corridor. Additionally, Hayward could see five dispensaries in the near future.

The anticipated high customer volume, spillover parking, and increased security presence would adversely affect nearby businesses and diminish the overall sense of safety and professionalism along Foothill Blvd.

The Planning Commission has already heard these concerns and voted 5–1 against the proposal. I urge you to stand by your constituents, protect our business environment, and preserve the image of our city.

Hayward deserves better than to be recognized solely as a cannabis destination.

Thank you for your consideration.

From: Alejandra Arias

Sent: Sunday, December 14, 2025 10:18 AM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: NEW MEGA DISPENSARY

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

I am a Hayward resident and I oppose the new Cannabis Dispensary for any of the following reasons:

1. Neighborhood Impacts
2. Traffic Concerns
3. Oversaturation of Cannabis in the main gateway to Hayward
4. Unsafe for our Youth
5. Too Close to Youth Activities

Please do not let this get approved. We do not need another dispensary in Hayward

Alejandra Arias

From: Justin Thomas

Sent: Saturday, December 13, 2025 12:28 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: Proposed Dispensary

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Mayor Salinas / Council Members Syrop

I am very concerned about the proposed dispensary on your agenda next week.

Respectfully, my family and I do not feel the City of Hayward needs another dispensary.

Please do the right thing and vote this proposal down.

1. Oversaturation for that community.
2. Traffic at that corner is already a nightmare, a huge dispensary will make it worse.
3. The Dispensary is too large and shares a wall with a karate studio where kids go!
4. It is less than 600 feet from a Koren School and Church.
5. It will be directly across from your approved Transitional Housing project.

THANK you!

Justin Thomas

Homeowner, Voter and Union Member

From: C. Y.

Sent: Saturday, December 13, 2025 12:54 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: Strongly opposed to a new cannabis dispensary in our area

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Hello, Mayor Salinas and all City Council members,

My name is Casondra Young, and I live just two blocks from the proposed site of the new cannabis dispensary at Lincoln Landing Apartments. Having lived in Hayward for 20 years, I recently chose this neighborhood for its proximity to downtown and its welcoming vibe. I love coming home, taking my dog for a walk, and always feeling safe while doing so. In recent years, the area has seen many positive changes, and I'd hate to see this vibrant part of Hayward turn into something unpleasant or less conducive to a healthy lifestyle.

Please keep in mind the residents in our area who chose this location for reasons opposite to what a cannabis dispensary would offer.

Kind Regards,

Casondra Young

From: Michael Warda

Sent: Monday, December 15, 2025 5:51 PM

To: Michael Lawson

Cc: Mark Salinas; Angela Andrews ; Daniel Goldstein ; George Syrop ; Ray Bonilla ; Francisco Zermeno ; Steve Kowalski

Subject: Phenos Hayward to Michael Lawson, Esq. (City Attorney)

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

Dear Mr. Lawson:

This office represents Phenos. I was one of the participants attempting to advance the application for a use permit during the September 15, 2025 Planning Commission hearing. Prior to the hearing, we had an opportunity to review the City of Hayward's cannabis ordinance as well as the City's planning mapping tool. It appeared clear that, aside from political and other non-planning issues that could be raised at City Council, most of the testimony offered fell outside the purview of the core principles that the Planning Commission would typically consider. For this reason, there was virtually no advocacy for non-planning issues.

The denial was troubling. The applicant relied entirely on the City's mapping tool to locate the property and entered into a long-term lease. Part of the consideration was the very limited number of properties available. Our focus at the Planning Commission was planning. We frankly did not want to inundate the Commission with members of the public presenting information that would be relevant at City Council, but not necessarily at Planning Commission.

It seems highly relevant to bring to the City Council's attention that, with all due respect to the work and effort of the Planning Commission, the denial was not based on sound planning principles.

We have been involved in dozens of entitlement processes to obtain use permits. The City's comprehensive ordinances and planning guidelines lay out an extremely well-considered process. It is critically important for all applicants to be able to rely on this process. In fact, the applicant had great confidence that, had planning issues been the sole focus at the Planning Commission, all possible concerns would have been satisfied.

Any assistance from your office in confirming that the applicant did satisfy all planning issues prior to the Planning Commission would be greatly appreciated.

We believe that some councilmembers understand that it was a stretch to vote the application down at the Planning Commission. We know that all members of the Council receive accurate information directly from staff. We hope that the Planning Commission meeting deviation from simply following planning principles is also explained.

The applicants are very well-funded and have a strong history of being excellent community partners—so much so that they have received over 140 letters of recommendation and have created a website that has gathered more than 5,837 local cell phone numbers and emails in support of their project.

We hope the applicants can work with the City of Hayward for the next ten years, and we are optimistic that this collaboration can begin in a positive direction with a strong community partnership, just as they have achieved in their 31 other city partnerships.

Regards,

Michael S. Warda

MICHAEL S. WARDA,

A Professional Law Corporation

Turlock, CA

Tel:

Fax:

ATTORNEY-CLIENT PRIVILEGED; DO NOT FORWARD WITHOUT PERMISSION

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From: Amy Bublak

Sent: Monday, December 15, 2025 5:59 PM

To: Steve Kowalski

Subject: Phenos/Firehouse

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

Dear Council Member,

As the Mayor of the City of Turlock and a former police officer of more than 25 years, I wanted to write to you to discuss Phenos/Firehouse, a business that has operated in Turlock for more than five years.

While I did not vote to approve any cannabis dispensary in Turlock based on my law enforcement background, I did want to advise the City of Hayward that Phenos/Firehouse has been an excellent business operation in Turlock. First, there has been no impact to law enforcement as the operators are extremely professional and operate within the stringent guidelines of the City of Turlock. From a financial perspective, Phenos/Firehouse has generated millions of dollars in revenue to the City of Turlock. Without this revenue, Turlock would have had a significant challenge to fund a multi-million dollar aquatic center to serve our citizens. It should also be known that Phenos/Firehouse generates as much revenue as the other three dispensaries in Turlock.

Phenos has recently asked for an additional cannabis license for distribution purposes. Based on the character of the ownership, the revenue performance, improvement to safety of the surrounding neighbors, professional security team, and the lack of calls for service, I find myself supporting their request for an additional distribution license.

I offer this letter of support for your consideration and thank you.

Mayor Amy Bublak

From: Strasburg, Ashley, BOS Dist. 4

Sent: Tuesday, December 16, 2025 3:11 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Cc: Henninger, Tona, BOS Dist4 ; Jennifer Ott

Subject: Proposal Commercial Cannabis Retail Dispensary at 21463 Foothill Boulevard
(Assessor Parcel No. 414-0086-056-02)

Importance: High

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

Hello,

Please find the attached correspondence from Supervisor Nate Miley regarding the proposal for the Commercial Cannabis Retail Dispensary at 21463 Foothill Boulevard (Assessor Parcel No. 414-0086-056-02) that is being voted on at tonight's Hayward City Council meeting.

Please let me know if you have any questions.

Best regards,

Ashley Strasburg

Office of Alameda County Supervisor Nate Miley, District 4

Alameda County Board of Supervisors

Constituent Liaison & Organizer



Board of Supervisors

Nathan A. Miley
Supervisor, District 4

Oakland Office
1221 Oak Street, Suite 536
Oakland, CA 94612
510-272-6694/510-465-7628 Facsimile

Eden Area District Office
20980 Redwood Road, Suite 250
Castro Valley, CA 94546
510-670-5717/510-537-7289 Facsimile

Pleasanton District Office
4501 Pleasanton Avenue
Pleasanton, CA 94566
925-803-7959

Contact our office: district4@acgov.org

December 16, 2025

Honorable Mayor and City Councilmembers
City of Hayward
777 B Street, 4th Floor
Hayward, Ca. 94541

Re: Proposal to operate a Commercial Cannabis Retail Dispensary at 21463 Foothill Boulevard (Assessor Parcel No. 414-0086-056-02), Conditional Use Permit application UP-25-0011, for Phenos Hayward.

December 16, 2025

Honorable Mayor and City Councilmembers
City of Hayward
777 B Street, 4th Floor
Hayward, Ca. 94541

Re: Proposal to operate a Commercial Cannabis Retail Dispensary at 21463 Foothill Boulevard (Assessor Parcel No. 414-0086-056-02), Conditional Use Permit application UP-25-0011, for Phenos Hayward.

Dear Honorable City of Hayward Mayor and City Council:

I am writing to you today to respectfully urge you to reject the proposed Commercial Cannabis Retail Dispensary at the former Walgreens site on Foothill Boulevard.

The proposed cannabis dispensary is to be located at the intersection of Foothill Blvd and Grove Way, at a key entry point into unincorporated Alameda County, and adjacent to the residential communities of Cherryland and Castro Valley.

There is another cannabis dispensary (Garden of Eden) located only one block away to the north along Foothill Boulevard in unincorporated Alameda County. Approving a second cannabis dispensary would create a concentration of dispensaries at this prominent thoroughfare, one of the main gateways into the City of Hayward and into unincorporated Alameda County, risks creating a negative perception of Foothill Boulevard as a cannabis corridor rather than a diverse, vibrant business district—an outcome that carries real consequences for residents, visitors, and long-term economic development.

A second cannabis dispensary concentrated within a single block undermines the intent of balanced land-use planning. While the proposal may meet technical spacing requirements, it conflicts with the spirit of local cannabis regulations designed to prevent overconcentration and avoid clustering along a single corridor.

The proposal's projected increase in traffic and associated safety impacts raise serious concerns. Foothill Boulevard is already a heavily traveled corridor serving residents, families, and small businesses. A proposal anticipating up to 2,000 customers per day would significantly strain existing infrastructure and alter the character of this area.

Community members and existing operators have also raised concerns about the broader market impacts of introducing a large-scale, high-volume dispensary in an already concentrated area.

The proximity of this proposed site to family- and youth-serving uses raises additional concerns. The location is within close range of child-care providers, youth-focused programs, faith-based institutions, and family-oriented businesses, including facilities that directly serve children. Land-use decisions in such contexts must carefully weigh the cumulative impact on families and neighborhood character.

Current dispensaries operating near this location have invested in Hayward and Unincorporated Alameda County through responsible operations, community engagement, and adherence to local standards. Oversaturation risks destabilizing this ecosystem while also affecting nearby non-cannabis businesses through parking constraints, traffic congestion, and heightened security activity.

I urge you to uphold the intent of local land-use policy and follow the City of Hayward's Planning Commission's September 25, 2025, vote recommending denial of the conditional use permit.

Sincerely,

A handwritten signature in black ink that reads "Nate Miley". The signature is written in a cursive, slightly slanted style.

Nate Miley, Supervisor, District 4
County of Alameda

CC: Hayward City Manager

From: pat d

Sent: Tuesday, December 16, 2025 3:38 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: Cannabis Dispensary at Foothill & Grove

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Dear Honorable Mayor, Councilmembers, and City Staff:

I write as a longstanding Hayward resident to oppose the proposed cannabis dispensary located at 21463 Foothill Boulevard. Hayward already has enough licensed cannabis dispensaries to meet community needs. Introducing another dispensary would jeopardize the well-being of longstanding operators who have invested heavily and committed themselves to the Hayward community over the last several years. Furthermore, a dispensary operating primarily as a large-scale liquidation retailer undermines the community-based model that the current operators have fostered. In addition, my research indicates that local tax revenue has declined in all markets where the prospective operator has opened for business, and that this operator has had significant controversies surrounding how they treat their employees and labor, as well litigation regarding anti-competitive business practices. For these reasons, I respectfully urge the City Council to deny the retail cannabis dispensary application for the proposed site.

Sincerely,

Pat Doherty

From:

Sent: Tuesday, December 16, 2025 3:43 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: 12 Reasons to OPPOSE

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Put together by Families in Cherryland, on Grove way and within the City of Hayward proper from Foothill to Gary to Cotter.

THEIR ARGUMENT #1: "We project 500-900 customers initially."

YOUR COUNTER:

- They admit in their own documents they expect this to grow to 2,000 customers per day
- That's 250 customers per hour at peak times with only 61 parking spaces
- This is industrial-scale retail, not a neighborhood business
- **Use their own words against them:** The document shows they're planning for massive growth they're not being upfront about

THEIR ARGUMENT #2: "\$100,000 security system is a community gift"

YOUR COUNTER:

- The document proves this is for THEIR protection, not ours
- Quote from their plan: cameras monitor "loading/unloading area, intake area, and storage room" - this is about protecting THEIR inventory
- Oakland dispensaries lost \$5 million - they're preparing for the crimes they EXPECT
- Cameras record crimes AFTER they happen - they don't prevent them
- **This is liability transfer, not community investment**

THEIR ARGUMENT #3: "No history of minors accessing Cookies or their other locations"

YOUR COUNTER:

- The jiu jitsu academy serves at-risk youth SPONSORED to steer them AWAY from drugs
- Staff report admits "many children train at on a daily basis"
- It's not just about preventing sales to minors - it's about **appropriate placement**
- Children shouldn't have to walk past 200+ cannabis customers and armed guards to reach programs teaching them discipline
- **One stray bullet or one drug offer could shatter a child's life forever**

THEIR ARGUMENT #4: "Cookies don't have loitering/public consumption issues"

YOUR COUNTER:

- Cookies had 5 burglaries/robberies in just 2 years
- The clustering effect is real - that's why Oakland lost \$5 million
- **This will be the 4TH dispensary within one mile** - saturation creates the problem

THEIR ARGUMENT #5: "Parking is adequate - fewer trips than Walgreens"

YOUR COUNTER:

- Walgreens had 42 theft/robbery incidents because of high traffic
 - They're comparing a FAILED business model (Walgreens closed) to justify their operation
 - 2,000 customers/day with 61 spaces = **disaster**
 - Their own plan admits only 26 spaces are directly in front
 - **Math doesn't work:** 250 customers/hour cannot be served with 61 spaces
-

THEIR ARGUMENT #6: "We meet the 500-foot distance requirement"

YOUR COUNTER:

- Meeting MINIMUM requirements doesn't mean it's the RIGHT decision
 - **Garden of Eden is 600 feet away - that's barely more than the minimum**
 - The ordinance doesn't account for CUMULATIVE impact of 4 dispensaries
 - **Planning Commission voted 5-1 AGAINST** - they understood saturation
-

THEIR ARGUMENT #7: "\$1 million advance payment shows good faith"

YOUR COUNTER:

- This is a **bribe**, not a community benefit
 - They're essentially saying "we'll pay you to ignore the problems"
 - **20 jobs and tax revenue aren't worth a child's life**
 - We already have 3 dispensaries generating revenue - how much is enough from ONE neighborhood?
-

THEIR ARGUMENT #8: "Armed security will prevent problems"

YOUR COUNTER:

- **Why do they need armed security if this is so safe?**
 - Armed guards are an ADMISSION that they expect violence
 - Children will have to walk past armed guards to get to their programs
 - Security guards don't prevent crime - they respond to it AFTER it happens
-

THEIR ARGUMENT #9: "Staff recommends approval despite Planning Commission 5-1 vote"

YOUR COUNTER:

- **Planning Commission listened to the community - 27 residents spoke against, only 3 for**

- Those 3 supporters? Document admits "some people supporting were paid and don't even live here"
 - Staff is overriding the experts (Planning Commission) who heard ALL the testimony
 - **Why have a Planning Commission if we ignore their decisive 5-1 vote?**
-

THEIR ARGUMENT #10: "This location has good visibility and access"

YOUR COUNTER:

- **That's exactly the problem** - high visibility means high impact on our RESIDENTIAL neighborhood
 - This is a GATEWAY to Hayward - is this the image we want?
 - Good access also means EASY access for criminals targeting high-value inventory
 - **North Hayward will become the cannabis destination for Alameda County**
-

THEIR ARGUMENT #11: "Transitional housing residents deserve compassion"

YOUR COUNTER (use their compassion argument against them):

- **If we truly care about vulnerable populations, we don't surround them with 2,000 daily cannabis customers**
 - Recovery is hard enough without constant exposure and temptation
 - The applicants claim to care - but their actions show they prioritize profit over these residents' success
-

THEIR ARGUMENT #12: "Other cities have multiple dispensaries successfully"

YOUR COUNTER:

- San Leandro's dispensaries are in INDUSTRIAL areas - not residential neighborhoods
- Union City's Decoto location (near residential) was ROBBED - criminals drove through the storefront
- **Those cities learned from mistakes - why should we repeat them?**

- Our neighborhood is already saturated with 3 within one mile

From: cinnabunz

Sent: Tuesday, December 16, 2025 3:59 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: Mega Dispensary

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Hayward City Council Members,

I am contacting to as a life long resident of Hayward, my family has lived in the same house for 80+ years, and we have seen lots of changes to our city, some good, some bad.

The plan to open a mega dispensary is a bad idea, Hayward streets are already congested after the ill planned loop, messed up downtown Hayward streets, we certainly do not need more traffic in our neighborhood due to the new planned dispensary.

Hayward already had a number of dispensaries and certainly doesn't need another one so close to people homes and family oriented businesses.

To often Hayward makes bad decisions which effect residents without taking into consideration those who live in these neighborhoods it's about time they start doing just that. Hayward does not want it, or need another dispensary.

What is important to those of us living in and near these neighborhoods is the pot holes in Grove Way between Western and Mission. The trash that is continually being dumped on Western Blvd, the overgrown foliage along the train tracks running along Western Blvd and Meekland. The congestion caused by the loop one of Hayward worst ideas and lastly the fact that I live in the CITY OF HAYWARD, not Cherryland and someone needs to make that distinction cause I'm tired of getting forced to accept Cherryland in place of Hayward anytime I order something online.

I do not live in Cherryland I live in Hayward born and raised, stop the stupidity already.

From: Sana Alam

Sent: Tuesday, December 16, 2025 4:03 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: Oppose the Mega Dispensary

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Dear Hayward City Council,

I, Sana Alam, resident of South Hayward (94544), strongly oppose the opening of the mega dispensary in downtown Hayward. The dispensary will increase traffic and devalue our properties further. The city needs to work hard on removing all dispensaries and shady massage clinics.

Thank you for your attention to this matter!

Happy Holidays!

Sana Alam

From: BC4AD

Sent: Tuesday, December 16, 2025 5:22 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: City Council Meeting 12/16/25 Public Comment RPT 25-097

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

Dear City Council,

‘This is the moment where we decide whether local democracy survives’

I am writing to bring to your attention of the FCC proposed rulemaking in Docket 25-276, it is a sweeping no rulemaking proposal that would dramatically expand federal preemption, force rapid approvals, eliminate meaningful community participation and allow wireless facilities to be placed almost anywhere.

Over 2000 people have already submitted opposition to the rulemaking.

The following cities have written or are in the process of their opposition:

Encinitas

Carlsbad

Murieta

Lake Oswego

West Linn

Carmel by the Sea

San Mateo

Palo Alto

League of California Cities

Federal agencies and Congress are pushing major policy changes to all the placement in front of people's bedrooms, schools, playgrounds, etc. all with no informed consent, no safety oversight, and an industry shielded from liability.

Congress is pushing forward with H.R. 2289 a bill that would let federal agencies and big telecom override local governments, eliminate key environmental (NEPA) and historic preservation (NHPA) reviews, and make it extremely easy to expand cell tower equipment with little notice or public input.

H.R. 1343, H.R. 1588, H.R. 1665, H.R. 1681, H.R. 1731, and H.R. 6046, Congress is advancing six bills that would limit local governments ability to regulate where wireless facilities are installed.

Together, these actions threaten community and environmental health, safety, privacy, property values, and the basic right of residents to decide what belongs in their own neighborhoods.

Just as you need a sewage treatment plant, it doesn't mean you put it anywhere you want. We need to preserve aesthetics, quality of life, and local control.

Please see the attached sample letter.

I urge you to direct the city attorney & city manager to submit opposition to the FCC proposed rulemaking and reach out to Congress to let them know we oppose this power grab.

Best,

John

BC4AD Group

I. Introduction.

We oppose the Federal Communications Commission's (FCC) Notice of Proposed Rulemaking, Docket 25-276 (NPRM), which proposes to commandeer local governments to implement the fast-tracked, wall-to-wall deployment of wireless infrastructure desired by the FCC and its *de facto* partner, the wireless telecommunication industry. The rules and other actions that are contemplated in the NPRM would exceed the FCC's scope of authority under the Telecommunications Act of 1996, Pub. L. No. 104-104 (1996) (TCA), and violate the anti-commandeering doctrine. Equally important, if enacted, they would have devastating effects on communities like ours, because they would virtually eliminate all state and local zoning authority over macro cell towers and other wireless facilities, and effectively transfer that traditional authority to private telecommunication companies.

The rules and actions contemplated in the NPRM would functionally require local zoning authorities to approve wireless facilities without regard to regional planning, aesthetics, setbacks, cost, community character, or community input, and to do so under condensed timelines, with facilities "deemed granted" when those timelines cannot be met. This is so even though the legislative history of 47 U.S.C. § 332(c)(7) (B)(ii) directly states that Congress did not intend "this provision to give preferential treatment to the personal wireless service industry in the processing of requests, or to subject their requests to any but the generally applicable time frames for zoning decision." See S. Rep. No. 104-230, at 208.

Moreover, because the rules and actions contemplated in the NPRM would require approvals regardless of fit, local authorities would be helpless to address legitimate complaints from constituents, who will ultimately bear the adverse impacts of those approvals, and who will not understand that their ire should be directed at the FCC. In light of the illegalities and myriad harms that would flow from the NPRM, we urge the FCC to abandon this effort, and begin a new one that actually considers the interests of the individuals and communities affected by each deployment proposal.

II. By Eliminating Local Authority Over Cell Towers and Giving Telecommunication Companies Ability to Determine the Fate of Communities Like Ours, the Rules and Actions Contemplated in the NPRM Would Have Devastating Consequences.

As a matter of history, law, and public policy, zoning decisions are and should be made by local authorities, who — unlike the FCC and private telecommunication companies — are accountable to and knowledgeable about the communities affected by their decisions. Indeed, "land-use decisions are a core function of local government. Few other municipal functions have such an important and direct impact on the daily lives of those who live or work in a community." *Petersburg Cellular Pshp. v. Bd. of Supervisors*, 205 F.3d 688, 703 (4th Cir. 2000).

Local zoning authorities best understand the unique character, needs, and priorities of their communities, and use their police powers to maintain safety and infrastructure; protect the environment; protect neighborhood character; ensure quiet enjoyment of private property; maintain orderly growth; further local economic goals; stabilize property

values; and more. However, the rules and actions contemplated in the NPRM would strip communities like ours of the ability to engage in any of these core government functions when it comes to wireless infrastructure.

The NPRM proposes turning local zoning authorities into rubber stamps, creating a free-for-all for private telecommunication companies. Among other ills, the rules and actions contemplated in the NPRM would turn conditional use permitting into a ministerial process; curtail communities' authority to set fees to recoup the full costs of permitting and overseeing wireless infrastructure; override concealment and aesthetic protections and other essential tools of zoning, such as setbacks; and set accelerated deployment timelines that silence community input and overtax small, local governments like ours.

This loss of control over the siting of communications facilities would have devastating consequences. Among others,

any number of telecommunications towers and other communications facilities could be erected in the midst of residential neighborhoods, next to schools, or in bucolic natural settings such as in the woods or on top of mountains -- areas held in high value by most communities. . . . [Loss of zoning control] would put at risk the property value of every home in the jurisdiction and create the possibility that aesthetic quality of every area in the jurisdiction would be destroyed.

Petersburg Cellular, 205 F.3d at 703.

Meanwhile, if the outcomes envisioned in the NPRM come to pass, local officials will bear the brunt of rightful citizen complaints, while the true culprit—the FCC—gets off scott free. *Cf. New York v. United States*, 505 U.S. 144, 168-69 (1992) (when local authority is commandeered to federal government ends, “it may be state officials who will bear the brunt of public disapproval, while the federal officials who devised the regulatory program may remain insulated from the electoral ramifications of their decision”).

For these practical reasons, the FCC should abandon the course being contemplated in the NPRM.

III. The Rules and Actions Contemplated in the NPRM Would Exceed the FCC’s Statutory Authority, and Violate the Anti-Commandeering Doctrine.

In addition to being abandoned due to their devastating effects on local communities, the rules and actions contemplated in the NPRM should be rejected because they would violate key constitutional principles: the separation of powers, federalism, and the anti-commandeering doctrine.

The TCA reflects “[t]he deliberate choice that Congress made not to preempt, but to use, state legislative processes for siting towers,” and the Act “precludes the federal government from instructing the states on how to use their processes for this purpose.” *Petersburg Cellular*, 205 F.3d at 704. Congress spoke very clearly when drafting Sections 253 and 332 of the TCA: under 47 U.S.C. § 253 (b) and (c), state and local

governments retain the authority (and responsibility) to protect public safety, preserve service quality, safeguard consumer rights, and manage the public rights-of-way on fair and competitively neutral terms; and under 47 U.S.C. § 332(c)(7)(A), local communities retain *full* authority over “decisions regarding the placement, construction, and modification of personal wireless service facilities,” with just a few, key limitations. .

The FCC has power to act only within the boundaries of authority delegated in the TCA; in the areas where local communities *retain* authority under the TCA, the FCC has *no power* to regulate. See *generally, Loper Bright Enters. v. Raimondo*, 603 U.S. 369 (2024). The NPRM proposals turn Sections 253 and 332 into empty vessels and expand the few stated “limitations” in § 332(c)(7)(B) far beyond what Congress intended.

In addition, “The Federal Government may not compel the States to enact or administer a federal regulatory program.” *Printz v. United States*, 521 U.S. 898, 933 (1991) (quoting *New York v. United States*, 505 U.S. at 188). This is for good reason: “when the federal government commandeers state and local legislative processes to carry out its own goals, not only is the federal power aggrandized and the state power enslaved, but also the lines of separation are blurred, causing a loss of accountability to the people and confusion by them.” *Petersburg Cellular*, 205 F.3d at 701. Accordingly, the FCC may not commandeer local zoning authorities to further its regulatory program of “eliminating barriers” to wireless rollout.

The rules and actions contemplated in the NPRM would effectively transfer core zoning powers from local government to private telecommunication companies. They would exceed the scope of the FCC’s delegated authority and violate the anti-commandeering doctrine by

- preempting local rules and actions that the FCC claims merely *inhibit* the deployment of wireless infrastructure (rather than effectively prohibiting such deployment);
- preempting local rules and actions that are based on legitimate zoning concerns such as aesthetics, concealment, and setbacks;
- eliminating communities’ ability to use conditional use permitting as a zoning tool to promote orderly and sustainable land development;
- requiring communities to permit “densification” of 5G networks regardless of whether such densification is desired by the community;
- imposing shot-clock and “deemed granted” rules that ignore and override the realities of local government functioning;
- curtailing communities’ ability to set fees that fairly reflect the true cost of permitting and allowing wireless infrastructure;
- preempting state and local regulation of AI.

IV. Conclusion

The FCC should abandon its pursuit of pro-industry rules that eviscerate local control and violate the U.S. Constitution. Instead, the Agency should turn its attention to revising its outdated RF exposure guidelines, as ordered by the D.C. Court of Appeals over four years ago. See *Env’tl. Health Tr. v. FCC* 9 F.4th 893, 900 (2021).

From: Anita Wah

Sent: Wednesday, December 17, 2025 10:51 AM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: cannabis dispensary at Foothill and Grove

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Dear Mayor Salinas and Members of the City Council:

I attended the meeting last night. My interest was in the cannabis dispensary. Although I left at 11:30, I learned this morning from a neighbor that you all voted in favor of it.

As someone who lives less than five blocks away from the site, I am appalled. The Council was swayed by the million dollar “deal” offered by the applicant that will help you balance your budget. If you did not have a huge budget shortfall, my guess is that you might have considered the neighbors’ comments over the money offered the City by the applicant.

The staff report, and your votes and questions, showed that you were not taking into account the needs of the neighborhood. The staff member who delivered the staff report (ignoring the recommendation of the Planning Commission) said that he used a computer program to determine traffic patterns. I suggest that he leave his office and walk the neighborhood to see the congestion there. He also stated that Garden of Eden was 750 feet away so outside the 500 foot limit. So 250 feet will make a difference to the neighborhood?

Hayward is a big city. Why not put the cannabis dispensary in another part of the city? There is plenty of space around Southland Mall. Or why not in one of the neighborhoods you live in, with another cannabis dispensary 750 feet away?

You have seriously let down the neighborhood in other ways. When we first moved here, over 28 years ago, the area around Grove and Foothill was a pretty, residential area with an antique shop, and a hair salon. Just across Foothill was a Walgreens that was heavily used

by the neighborhood. Now, because you have reneged on your responsibility to find developers for Parcel 8, the lower part of Grove it is a mess of boarded up buildings. The neighbors are strongly in favor of housing there, including affordable housing. They are also in favor of replacing the old Walgreens with a similar type of store. My husband and I are elderly, I am disabled, and in a few years we may need to sell our house. That will be very difficult, given what you have already done to the neighborhood and what, last night, you have promised to do.

It was clear by the way Mayor Salinas conducted the meeting that he was biased in favor of the applicant. Although he asked people not to repeat themselves, he allowed the people who represented the applicant, and had prepared, repetitive speeches, to say the same things over and over again. He gave each of them the full minute, which is just what he promised not to do. He also threatened to clear the hall when the opposition clapped in favor of a comment, but said nothing when those in favor repeatedly broke into applause.

I am a supporter of having cannabis dispensaries in our city. I use cannabis medically myself because of my disability. However, we don't need two dispensaries near the end of Grove. Neighbors are organizing protests, so although you have voted, we are not defeated.

Anita Wah

Grove Way

faculty emeritus, Chabot College

From:

Sent: Wednesday, December 17, 2025 10:19 AM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>

Subject: Definition of Mega

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

For the Council Member (the same one that admitted financial gain from the applicant) who asked what "Mega" means and why it was applied to this applicants proposed dispensary by the opposition, let me explain for you.

Mega is an adjective defined as "Very large. Huge"

Based on that definition I think one can derive, that a Costco is a Huge or Mega type wholesale store, right?

Therefore, if we agree on that, then if you would have listened to the September Planning Meeting the dispensary applicant HIMSELF, compared his proposed application to Costco, thus self-proclaiming his proposed dispensary as "mega". I hope this helps clear the air.

Veterans of Foreign Wars

of the United States



Presented To
Pacafi Cooperative Inc.

For Meritorious and Distinguished
Service in Furthering the Aims and
Ideals of the Veterans of Foreign Wars
of the United States.

Given this 4th day of January 2019



Commander

A handwritten signature in blue ink, likely of the Commander, written over a horizontal line.

Adjutant

A handwritten signature in blue ink, likely of the Adjutant, written over a horizontal line.



VFW
VETERANS

Veterans of Foreign Wars Post # 3199

2801 W Hatch Rd., Modesto CA 95358

Donation receipt

Donor's name PALEFI CAROLANNE

Amount: \$ 1428 Cash: _____ Check: ✓

Gift: _____ Gift Value: _____

Received by: KAROL ARVACHE Date: 12/10/13

VFW Post #3199 thanks you for your support.

All donations are tax deductible to the extent of the law

Our non-profit tax ID# is 23-7066890



Pacafi Cooperative Inc.,

January 4, 2019

The Veterans of Foreign Wars Post #3199 in Modesto, CA, is a bona fide 501C tax exempt charitable organization whose vision is to ensure all veterans are respected for their service, always receive their earned entitlements and are recognized for the sacrifices they and their loved ones have made on behalf of this great country.

All monies/items received are tax deductible and all proceeds go towards our General Fund to keep the lights on, our Relief Fund providing needed resources for veterans and the improvement of our post. We continue to strive to make our post the best it can be, in honor of our fallen comrades and to assist in providing in the welfare of our United States Veterans past, present, and future.

Our establishment offers hall and park rentals to the community as well as our veterans for special occasions. We assist, in various honor guard ceremonies, from parades to burials with honors. We believe in our post to maintain not only dignity, but honor for what we represent.

It is a new era, with a new generation of veterans looking for a veteran organization to attach themselves to and a place they can call home. Your assistance is helping us achieve that.

I would like to personally thank you for your generous donation. We have several functions planned this year to support those in need and your donation makes that support possible.

Very Respectfully,

A handwritten signature in black ink, appearing to read "K. Aqueche", is written above the printed name.

Kevin L. Aqueche
Commander, VFW Post 3199
VFW tax I.D.# 23-7066899

Modesto Memorial Post 3199 • P.O. Box 580509 • Modesto, CA 95358
Tax ID# 23-7066899





JIMMIE CONNORS POST NO. 6311
P.O. Box 2191
Manteca, California 95336

March 21, 2022

To: PACAFI, INC.

DBA PATIENT CARE FIRST

Jimmie Connors Post 6311 and its members would like to thank you for your generous donation of \$2,900.00 to further the ideals and mission of the Veterans of foreign wars of the United States. This Post does a lot of work in the community, and without donations such as yours it would be very difficult to accomplish. Again, thank you very much.

Regards

A handwritten signature in black ink, appearing to read "Michael D. Cearley".

Michael D Cearley

Commander Jimmie Connors Post 6311

NO ONE DOES MORE FOR VETERANS.



Stanislaus County Sheriff K9 Association

250 E. Hackett Rd. • Modesto, CA 95358 • www.ssk9.com

The **Stanislaus County Sheriff's K9 Association** would like to thank Phenos at 1234 McHenry Ave, Modesto for your generous donation to our retired K9 partners. With your donation, our retired K9's will get to enjoy a healthy, happy, comfortable life.

In Dogs We Trust,
SSK9 Association Board



Stanislaus County Sheriff K9 Association

250 E. Hackett Rd. • Modesto, CA 95358 • www.ssk9.com

The **Stanislaus County Sheriff's K9 Association** would like to thank Patient Care First at 1442 Angie Ave, Modesto for your generous donation to our retired K9 partners. With your donation, our retired K9's will get to enjoy a healthy, happy, comfortable life.

In Dogs We Trust,
SSK9 Association Board



Stanislaus County Sheriff K9 Association

250 E. Hackett Rd. • Modesto, CA 95358 • www.ssk9.com

The **Stanislaus County Sheriff's K9 Association** would like to thank Flavors at 2213 Patterson Rd, Riverbank for you for your generous donation to our retired K9 partners. With your donation, our retired K9's will get to enjoy a healthy, happy, comfortable life.

In Dogs We Trust,
SSK9 Association Board



Stanislaus County Sheriff K9 Association

250 E. Hackett Rd. • Modesto, CA 95358 • www.ssk9.com

The **Stanislaus County Sheriff's K9 Association** would like to thank the Fire House at 1601 W. Main Street, Turlock for your generous donation to our retired K9 partners. With your donation, our retired K9's will get to enjoy a healthy, happy, comfortable life.

In Dogs We Trust,
SSK9 Association Board



Creative Alternatives, Inc.

TRANSITIONAL HOUSING PLACEMENT + NON-MINOR DEPENDENTS

2855 Geer Road, Turlock CA 95382 • (209) 668-9361 • Fax (209) 668-0539
3195 M St., Suite D, Merced CA 95348 • (209) 723-6030 • Fax (209) 723-6032

November 15, 2022

Dear Blue Fire,

Thank you for your donation of \$1000 to our Transitional Housing Placement (THP) Program for Thanksgiving. The California Fostering Connections to Success Act, known as AB12, took effect in 2012 and allows eligible youth to remain in foster care beyond age 18 up to age 21. Now known as Extended Foster Care (EFC), this law and its subsequent legislation provide youth with the time and support needed to gradually become fully independent adults. Creative Alternatives started the Transitional Housing Placement plus Non-Minor Dependent (THP + NMD) Program in 2014. Our agency provides safe housing for our young adults while they are attending school or are employed at least 20 hours a week. Your donation will help our agency provide a Thanksgiving meal and gift cards to our clients. We appreciate your donation immensely and hope to work with you again soon.

Thank you,

Nadine Cataño, M.S.W.
THP + NMD Social Worker



[ABOUT](#)

[BOARD MEMBERS](#)

[DONATE](#)

[EVENTS](#)

[CONTACT](#)

Support the Foundation

The Stanislaus Senior Foundation believes that charitable giving should begin at the local level. Seniors are our most underserved, undervalued, and most vulnerable population. They often find themselves alone, frightened, hungry, and greatly at risk for injury and/or abuse. The funds you have so generously donated will help them in a very real way to stay safe and live in relative security.

Please donate and make a real difference in the lives of seniors right here in Stanislaus County. 100% of the donations helps seniors in this community.



There are two ways to donate!

Send your tax deductible contribution to:

Stanislaus Senior Foundation
3500 Coffee Rd Ste 19
Modesto, CA 95355

Pay by Credit Card with Pay Pal:



© 2017 by Stanislaus Senior Foundation

Proudly Serving the Seniors of
Stanislaus County

THE FACE OF THIS DOCUMENT HAS A MULTI-COLORED BACKGROUND. THIS DOCUMENT FEATURES THREE DISTINCT PARTS: A MICROCOPIC LOCK (CON DISAPPEARS WITH HEAT), A LUMINESCENT IMAGE, AND OTHER SECURITY FEATURES.

Self-Help
Federal Credit Union
2504 Tenaya Drive
Modesto CA 95354

CASHIER CHECK

08/05/2019

THIS CHECK VOID AFTER 90 DAYS

CHECK NO **08011311**



Five Thousand and 00/100 Dollars*****

Stanislaus Senior Foundation
From: Natasha Arceneaux Parra

Reference:

TWO SIGNATURES ARE REQUIRED FOR
AMOUNTS OVER \$5,000

Handwritten signature

Handwritten signature

AUTHORIZED SIGNATURES





Society for

disABILITIES

1129 8th St Suite 101

Modesto, CA 95354

209.524.3536

209.524.1205 fax

www.societyfordisabilities.org

Board of Directors

July 24, 2023

Richard D. O'Brien
President

Phenos Cannabis Dispensary
1234 McHenry Avenue
Modesto CA 95350

John B. Anderson
Vice President

Dear Friends:

Rich Ulm
Secretary

Thank you for your past support of Society for disAbilities - your gifts help us survive and thrive! With your help, we continue to serve people with disABILITIES through our unique and exciting adapted recreational sports programs!

Brian Baker
Treasurer

Our Medical Equipment Loan Closet is important and unique - we loan out over 1500 pieces of equipment each year! We currently have a waiting list for several pieces of equipment. With your support, we can put wheelchairs and other equipment in the hands of those who need us most!

Khat Andersen
Board Member

Even in the heart of the pandemic we were able to keep serving clients, due to the generosity of donors like you! We never shut our doors or laid off employees and we remained a source of equipment and resources for the disabled in our community.

Dylan Bernardi
Board Member

Hope Cook
Board Member

Thankfully, our programs are open again! Currently, Adapted Bowling and Adapted Water Ski are in operation and well-attended. Miracle League Baseball starts again in September and we are conducting Bike Camp right now! Further down the road, we are adding golf, soccer, art and music to our menu - the lives of our clients are more fulfilling due to the experiences we provide!

Nora Guzman
Board Member

Mark Herbst
Board Member

We have gratefully appreciated your generous support in the past - it makes a difference to those we serve! We invite you to continue your investment as our partner with a gift of an amount you see fit. An award of any amount will be greatly appreciated and will help us in our quest to serve.

Ivey Mayol
Board Member

I look forward to hearing from you!

Brad Post
Board Member

Yours, In Service,

Ted Rosen D.C.
Board Member

Cathy Mendoza
Executive Director

Cathy Mendoza
Executive Director

*We would appreciate
your support!*
"



1129 8th St. Suite 101
Modesto, CA 95354
209.524.3536
209.524.1205 fax

www.societyfordisabilities.org

Board of Directors

July 24, 2023

Richard D. O'Brien
President

Flavors Cannabis Dispensary
2213 Patterson Road
Riverbank, CA 95367

John B. Anderson
Vice President

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Secretary

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Board Member

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Ivey Mayol
Board Member

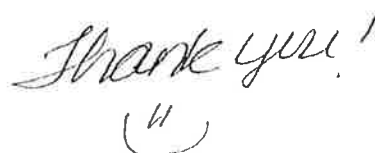
I look forward to hearing from you!

Brad Post
Board Member

Yours, In Service,

Ted Rosen D.C.
Board Member


Cathy Mendoza
Executive Director



Cathy Mendoza
Executive Director



February 15, 2022

Angilbert Sarkis
Firehouse Cannabis Dispensary
1234 McHenry Ave Ste C
Modesto, CA 95350-5381

Dear Angilbert:

On behalf of Community Hospice Foundation, we would like to thank you for your generous gift of \$6,000.00 received on 12/31/2021.

The compassionate work of Community Hospice continues without interruption, even in these challenging times. Every day, our nurses and caregivers show up for our patients and their families wherever they call home, including hospitals and residential facilities. Community Hospice is available for our patients when they need us the most, and your generosity helps us maintain our important mission of care and comfort.

The kindness of your gift reflects how much you believe in our work with families dealing with illness and loss, and we are very grateful for your support.

Sincerely,

Francine Foley
Executive Director
Community Hospice Foundation

No goods or services were received in exchange for this donation. Please retain this letter for your tax records acknowledging your contribution to Community Hospice Foundation; our Federal Tax ID is 77-0562224.

The Haig & Isabel
Berberian Patient
Services Center
4368 Spyres Way
Modesto, CA 95356
209.578.6300

San Joaquin
Branch Office
2431 W. March Lane
Suite 100
Stockton, CA 95207
209.477.6300

Alexander Cohen
Hospice House
2201 Euclid Avenue
Hughson, CA 95326
209.578.6380

Logistics Center
Hope Chest and Durable
Medical Equipment Division
3105 Del Este
Modesto, CA 95354
209.575.4673



CA 0000787 CA 0000613
give.hospiceheart.org

Our agency operates in compliance with Title VI under the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age of Discrimination Act of 1975, and Federal HIPAA Privacy Rules. Our Notice of Privacy Practices describes how we may use or disclose protected health information. You may call our office to request a copy of our Notice of Privacy Practices. Community Hospice complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. If you do not speak English, language assistance services, free of charge, are available to you. Call 1-209-578-6300 T 800-735-2929 TTY: (209) 578-6300. ATENCION: si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística. Llame al 1-209-578-6300 T 800-735-2929 TTY: (209) 578-6300.



Modesto S.W.A.T. Association

Dear Supporting Business or Community Member,

I am a member of the Modesto S.W.A.T. Association which was formed in 2011 to help support the Modesto Police Department S.W.A.T Team and give back to our community. On October 5th, 2024 we are holding a SWAT Tri-tip and Shrimp dinner. Our team is reaching out to for assistance and donations to obtain much needed equipment and training.

Our team can be constantly found giving back to our community and entire county with safety fairs, demonstrations and active shooter education. We currently operate with 22 members, down from 24 due to downsizing of the department from budgetary issues. During my time on the team I have had firsthand experience with operating next to some of the most tactically capable members of our department.

Your generous donation will be used during the dinner as a raffle or auction item to raise money to support Our/Your Team. The Modesto S.W.A.T. Team trains approximately 300 hours per year and averages 35 missions annually. In recent years the city we protect is becoming increasingly violent and our outdated and worn equipment needs to be replaced. Unfortunately our needs have outgrown our department's budget and additional training /equipment are vital to the team's safety.

Below you will find our Tax ID number and 501 (c)(3) status. Your generous donation will also be recognized at the annual dinner with more than 400 community members in attendance. I appreciate your time and consideration in the matter and hope these values mirror those of your organization. We look forward to the possibility of further developing this relationship. Thank you again.

We would also appreciate your attendance on October 5th, 2024 at our SWAT Tri-tip and Shrimp dinner. A table that sits 8 is available to purchase for \$600. To purchase tickets please contact Jordan Panella at PanellaJ@modestopd.com or via Instagram @modesto_swat_association

Respectfully,

Modesto S.W.A.T. Association

Item(s) Donated

Value for Donation

The Internal Revenue Service has determined that the Modesto SWAT Association (#27-2176449) is a public charity with a 501(c)(3) status. All contributions are tax deductible under Internal Revenue code 170.



Dear Phenos,

We at the Stanislaus SWAT Association are dedicated to bringing the highest quality of service to our community. This includes helping those in need and educating the public about our purpose. This however, cannot be accomplished without the help and support from the public. Your partnership and donation will go a long way in helping us achieve our goal. Thank you.

The Stanislaus SWAT Association (SSA) is a recognized 501(c)(3) tax-exempt organization (EIN# 81-4777901, DLN# 26053762003736) and your donation is tax deductible under IRC (Internal Revenue Code) 170. For this purpose we are providing you this letter as a receipt to acknowledge your Gold Sponsorship Donation of \$2,000 on December 6, 2022.

"Success is not final, failure is not fatal: it is the courage to continue that counts." – Winston Churchill

Sincerely,

A handwritten signature in blue ink, appearing to be "Dan" followed by a long, sweeping horizontal line.

Stanislaus SWAT Association



January 6, 2023

Bluefire of Merced
1975 W Olive Ave,
Merced, CA 95348

Bluefire Management & Staff:

On behalf of the Merced County Food Bank, our staff, board, and the community we serve, I would like to thank you for your generous donations in 2021 and 2022. Your financial donations and your donation of the van has enabled us to provide more food services in our community for low-income people who are food insecure.

Each month the Merced County Food Bank and our nearly 100 non-profit partner agencies who service the public, provide food and food resource assistance to nearly 20,000 people in the community. This is an ongoing significant challenge for all of us, and we are only able to accomplish this level of service as a result of partnerships with local businesses, people, and institutions.

We appreciate your commitment to address food insecurity in the communities you serve, and we are thankful to have you in the trenches with us as we fight hunger together.

Your financial donations allowed us to purchase over 20,000 pounds of nutritious food last year. In addition, the donated van will allow our partner agencies to pick up food at the food bank provide distributions in areas that were previously not being services due to transportation challenges.

As we move forward this year, it looks like things are going to be a little more expensive than last year, and the need for our services will continue to grow. However, though your support and the support of the community, we will continue to be there to provide assistance to all those suffering from hunger; especially our low-income children and seniors on fixed income.

Once again, thank you for your generous donation. We appreciate your support and are very thankful to have you in the community, as well as your help fulfilling our mission.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Gibbs".

Bill Gibbs
Executive Director

FEIN# 80-0093563



March 2, 2022

The Premier Group
Patient Care First
1442 Angie Ave
Modesto, Ca 95351

Re: Your Donation in the amount of \$2,900 on December 31, 2021

Dear Patient Care First,

On behalf of Ray Of Hope Children's Services, I would like to thank you for your very generous donation to our organization. As these times have been challenging for many of us, it has been even more so for children living in crisis situations and poverty. Without the support of companies like yours we could not meet the needs of these innocent children.

Ray of Hope feeds, clothes, provides school support and a Babies In Crisis program for children living in poverty or in crisis from such things as Domestic Violence, Untreated Mental Health of Parents, Sexual Assault and Homelessness. We clothe and provide basic human needs and programs for over 2000 children annually.

It is our privilege to serve these kids and with the most humble heart we thank you for this donation. With the continued support of community members such as Patient Care First means **Together, we are giving kids the opportunity to thrive!** We support the city awarding The Premier Group with an additional location to better service our community. Their charitable contributions represent a true investment in the community and delivery on their promise to GIVE BACK!

With sincere gratitude,

Laura Saunders

CEO

Ray Of Hope Children's Services



We pledged to match the amount our community contributed and donated a total of **\$34,200** to the following local organizations:



\$5,120



\$6,280



\$6,280



\$6,280



\$5,120



\$5,120



Cheese & Wine Exposition

\$5,000

The program has been a welcomed addition to our Ceres store and will be implemented at our future locations.

☒ **Attachment 9C-1:** Thank You Letters/ Receipts from Local Charities



NAACP MODESTO/STANISLAUS BRANCH • UNIT 1048
P. O. Box 181 • MODESTO, CA 95353 • (209) 896-9196
WWW.NAACPMODESTOSTANISLAUS.ORG • NAACPMODESTOSTANISLAUS@GMAIL.COM

March 9, 2022

Phenos Collective, Inc
1234 McHenry Ave. Ste C
Modesto, CA 95350

Dear Phenos Collective,

On behalf of the Modesto/Stanislaus NAACP, its Executive Committee, and members, I am writing to thank you for your \$5000 donation to our local organization. The funds will be used to support equity and social justice cannabis initiatives in Stanislaus County.

The mission of the NAACP is to ensure the political, educational, social, and economic equality of all citizens. It is our goal to assist Stanislaus County residents who have been negatively impacted by the War on Drugs with training, mentorship, and business opportunities that will assist under-represented populations with entrepreneurial opportunities in the legal cannabis industry.

We look forward to furthering alliances and partnerships with Phenos Collective Inc. that will collectively serve our community for the greater good. Thanks again for your generous donation.

Sincerely,

A handwritten signature in cursive script that reads "Wendy Byrd".

Wendy Byrd
President