



# FAIRVIEW

MUNICIPAL \_\_\_\_\_

ADVISORY

COUNCIL

1221 Oak Street, Room 536, Oakland, Ca. 94612 (510) 272-3812 FAX (510) 208-5660

**The meeting room is wheelchair accessible. A sign language interpreter may be available upon five (5) days notice. Please telephone 510-272-3812.**

**Any member of the audience desiring to address the Council:**

- 1. Should complete a speaker card and give it to the Secretary prior to the start of the hearing, or as soon as possible after the hearing begins;**
- 2. After receiving recognition from the Chair, please walk to the lectern, state your name and address, and then begin your comments;**
- 3. Each speaker may be limited to three (3) minutes**

## **SUMMARY ACTION MINUTES**

**Tuesday, December 4, 2018**

**Time: 6:00 p.m. (NOTE NEW START TIME)**

**Place:** Hayward Area Recreation and Park District  
District Administration Office - Boardroom  
1099 E Street, Hayward, California

**Call to Order** – Meeting called to order by Chair Higgins

**Pledge of Allegiance**

**Roll Call**

**Councilmembers present:** April Chan, Dale Silva, Jewell Spalding and Chair Chris Higgins

**Councilmembers excused:** Richard Patenaude

**Public Announcements/Open Forum**

Roger deRuig expressed need to keep gate at Thurston Court due to public safety issues.

Jennifer Koney invited all Fairview neighbors to participate in the first annual Fairview Holiday Lights contest and to RSVP by December 16, and commented regarding removal of Thurston Court and emergency evacuation.

James Evert concurred with Ms. Koney's comments.

Vanessa Rhodes commented that the Thurston Gate be removed and expressed need for the community to discuss, and that gate should be updated to address emergency access needs.

Sam Birby spoke regarding zoning of his property.

Charma Ferreira spoke in support of removing Thurston Gate for emergency evacuation.

Cathy Langley spoke to keep the gate and have it be updated to address emergency evacuation needs.

Shannon Johnson spoke in support of removing Thurston Gate.

Andrew Crawford commented on the gate and emergency evacuation issues.

Nick Harvey commented on emergency evacuation accessibility and supported removing the gate.

Gloria Bryant spoke how Thurston Gate has prevented access and expressed that the MAC do whatever is best for safety.

Mark Augus spoke regarding safety issues of removing the gate and proposed the possibility of having an accessible breakaway gate.

Fran Morse expressed safety concerns regarding Thurston gate.

Mark Malfatti provided support to remove Thurston gate and spoke regarding hazards in the event of an emergency.

### **Approval of Minutes**

- September 4, 2018 [Attachment](#)
  - October 2, 2018 [Attachment](#)
- Approval of the Summary Action Minutes from the September 4, 2018 (9/4/18) and October 2, 2018 (10/2/18) meetings have been continued to the next Fairview MAC meeting to allow clerk to clarify the approval language for Item 3, from the 9/4/18 meeting, and to clarify the public comment from Nick Harvey on Item 1 and the approval language for Item 1 from the 10/2/18 meeting.**

### **Consent Calendar - there are no items on the Consent Calendar**

### **Regular Calendar**

- 1. VARIANCE, PLN2016-00093, Velazco/James A. Mahaney S.E., P.E. – Action Item**  
Application to allow: 1) an 8 feet tall retaining wall with a 42 inch guard rail on-top of the wall where 4 feet and 6 feet are the maximum height permitted and 2) a retaining wall 69 feet in length where 20 feet is maximum permitted located at 4025 Amyx Court, south side, 1,100 feet west of Fairview Avenue in the unincorporated Hayward area of Alameda County, designated Assessor's Parcel Number: 425-0280-001.

**Staff Planner:** Christine Green

[Attachment 1](#)

[Attachment 2](#)

Christine Green, Staff Planner provided a staff report and summary of the variance application for property on 4025 Amyx Court

Maurice Velazco, applicant, gave further background regarding the property

Members of the public commented on the work done on the property and spoke in support of the variance

**Approved as recommended by staff.** Motioned by Councilmember Spalding, seconded by Councilmember Silva, 4 ayes, 1 excused (Patenaude)

**2. VARIANCE, PLN2016-00077, Kathleen Freitas – Action Item**

Application to allow a 6.5 feet tall fence in the front yard where 4 feet high is the maximum height permitted located at 3224 Saddle Drive, north side, 150 feet, west of Spur Drive, in the unincorporated Hayward area of Alameda County, designated Assessor's Parcel Number: 425-0110-031.

**Staff Planner:** Christine Green

[Attachment 1](#)

[Attachment 2](#)

Kathleen Freitas, Staff planner provided a staff report and summary of the variance application for the property located on 3224 Saddle Drive

Councilmember Spalding motioned to continue Item 2 to the next Fairview MAC Meeting on Tuesday, February 5, 2019 to allow staff to work with the applicant to confirm determine if the property needs the variance, seconded by Councilmember Silva, 4 ayes.

Chair Higgins reopened the item for public comment and members of the public spoke in support of the variance

**3. Adopt 2019 Fairview MAC Meeting Calendar – Action Item**

[Attachment 1](#)

**Approved as amended to adopt the proposed meeting schedule and cancel the August 6, 2019 meeting and to direct staff to find a substitute date.** Motioned by Spalding, seconded by Silva, 4 ayes, 1 excused (Patenaude)

**Chair's Report**

No Chair Report was provided.

**Council Announcements, Comments and Reports**

Councilmember Chan invited attendees to the Fairview Holiday Lights Contest and encouraged community participation. Councilmember Chan also invited attendees to the Hayward School Board Member swearing in ceremony on December 12<sup>th</sup> at 6:30pm at Hayward City Hall.

Councilmember Spalding expressed need to have East Bay Municipal Utilities District to provide a presentation regarding water pressure in hydrants at locations throughout Fairview and address related issues in the event of a fire. Councilmember Spalding also requested that the Planning Department provide a memorandum on how to measure fences and retaining walls.

**Staff Announcements, Comments and Reports**

- January 1, 2019 Fairview MAC meeting canceled

Tona Henninger, Supervisor Miley's office, announced that the Fairview MAC meeting scheduled for Tuesday, January 1, 2019, is canceled and that a Fairview MAC Special Meeting has been tentatively scheduled for Wednesday, January 16, 2019 regarding the Thurston Court issue.

**Adjourned**