

CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Tuesday, October 6, 2020

7:00 PM

Remote Participation

City Council

**SPECIAL JOINT MEETING OF THE CITY COUNCIL AND
HAYWARD REDEVELOPMENT SUCCESSOR AGENCY**

COVID-19 Notice: Consistent with State of California Executive Order No. 29-20 dated March 17, 2020, and Alameda County Health Officer Order No. 20-10 dated April 29, 2020, the City Council will be participating in public meetings via phone/video conferencing.

How to watch the meeting from home:

1. Comcast TV Channel 15
2. Live stream <https://hayward.legistar.com/Calendar.aspx>
3. YouTube Live stream: <https://www.youtube.com/user/cityofhayward>

How to submit written Public Comment:

1. Use eComment on the City's Meeting & Agenda Center webpage at: <https://hayward.legistar.com/Calendar.aspx>. eComments are directly sent to the iLegislate application used by City Council and City staff. Comments received before 3:00 p.m. the day of the meeting will be exported into a report, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda.

2. Send an email to List-Mayor-Council@hayward-ca.gov by 3:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the City Council and staff, and published on the City's Meeting & Agenda Center under Documents Received After Published Agenda. Documents received after 3:00 p.m. through the adjournment of the meeting will be included as part of the meeting record and published the following day.

How to provide live Public Comment during the City Council Meeting:

Click the link below to join the meeting:

<https://hayward.zoom.us/j/96255418734?pwd=MFRvMDdQMXRZeThOcC9JZjZuOEh3dz09>

Passcode: GL\$D#9Zt

or

Dial: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799
or +1 929 205 6099

Meeting ID: 962 5541 8734

Password: 43435652

CALL TO ORDER: Mayor/Chair Halliday

Pledge of Allegiance: Council/HRSA Member Mendall

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PRESENTATIONS

Certificate of Commendation Presented to Edward and Donna Martins for their \$250,000 Donation through the Donna L Martins & Edward E Martins Foundation to Support the Acquisition of a Bookmobile and Related Supplies.

Community Volunteer Recognitions

PUBLIC COMMENTS

The Public Comment section provides an opportunity to address the City Council on items not listed on the agenda or Information Items. The Council welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Council is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff.

ACTION ITEMS

The Council will permit comment as each item is called for the Consent Calendar, Public Hearings, and Legislative Business. In the case of the Consent Calendar, a specific item will need to be pulled by a Council Member in order for the Council to discuss the item or to permit public comment on the item. Please notify the City Clerk any time before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.

CONSENT

1. [CONS 20-423](#) Adopt a Resolution Authorizing the City Manager to Execute an Amendment to the Cooperating Agreement with East Bay Municipal Utility District to Prepare a Groundwater Sustainability Plan for the East Bay Plain Subbasin

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)

2. [CONS 20-477](#) Adopt a Resolution Approving the Utility Service Agreement and Authorizing the City Manager to File an Application with the Alameda County Local Agency Formation Commission (LAFCo) for Approval of an Out-of-Service Area Agreement and Execute Utility Service and Public Street Improvement Agreements with the Applicant for a Property on Fairview Avenue in Unincorporated Alameda County for Applicants Anthony Barraza & V Anna

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Hayward SOI](#)
 [Attachment IV Utility Service Agreement](#)
 [Attachment V Deferred Street Imp. Agmt](#)

3. [CONS 20-478](#) Adopt a Resolution Approving a Final Map of Tract 8280 (Vagabond Estates) Subdividing Two Existing Parcels Totaling 1.27 Acres Located at 29265 Vagabond Lane Into Eight (8) Lots; Applicant/Owner: Habib Asef, Application No. 201600359

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Vicinity Map](#)
 [Attachment IV Site Map](#)
 [Attachment V Final Map](#)

4. [CONS 20-479](#) Adopt a Resolution Approving a Final Map of Tract 8518, Stonebrae Clubhouse Villas, Subdividing a 20-Acre Site Into Ten (10) Lots For Single-Family Homes, One Common Use Lot For The Ten Lots And Two Large Remainder Lots, Including Portions of Existing Driving Range And Open Space And Authorize the City Manager to Execute a Subdivision Agreement. Tract 8518 is the Planned And Phased Development of The Country Club Complex Approved in The Blue Rock Country Club (Stonebrae) Vesting Tentative Tract Map 5354 – Applicant/Owner - Stonebrae L.P.

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III Vicinity Map](#)
 [Attachment IV Site Map](#)
 [Attachment V Final Map](#)

5. [CONS 20-485](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agricultural Lease Agreement with Virgil Robertson for 20 Acres on Parcel Group 4 Generally Situated on Undeveloped Land between Harder and Tennyson Roads

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

6. [CONS 20-487](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Contra Costa Electric for Fiber Optic Installation Services in an Amount Not-to-Exceed \$254,842

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)

7. [CONS 20-489](#) Adopt a Resolution Authorizing the City Manager to Execute an MOU with 4Cs of Alameda County and to Accept and Appropriate \$45,000 to Support the Purchase of a Hayward Public Library Bookmobile

Attachments: [Attachment I Staff Report](#)
 [Attachment II Resolution](#)
 [Attachment III MOU](#)

8. [CONS 20-490](#) Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Letter Agreement with 1069 B Street, LLC to Defer Rent and Parking Maintenance Payments for Cinema Place

Attachments: [Attachment I Staff Report](#)
[Attachment II HRSA Resolution](#)

9. [CONS 20-493](#) Adopt Resolutions Authorizing the City Manager to Execute a Professional Services Agreement with Maddaus Water Management Inc., to Prepare the 2020 Urban Water Management Plan and Appropriate \$139,614

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Appropriation Resolution](#)

LEGISLATIVE BUSINESS

10. [LB 20-051](#) Huntwood and Patrick Avenues Complete Streets: Adopt a Resolution Approving Complete Streets Improvements (Report from Director of Public Works Ameri)

Attachments: [Attachment I Staff Report](#)
[Attachment II Resolution](#)
[Attachment III Final Huntwood Ave TICP](#)
[Attachment IV Final Patrick Ave TCIP](#)

CITY MANAGER'S COMMENTS

An oral report from the City Manager on upcoming activities, events, or other items of general interest to Council and the Public.

COUNCIL REPORTS AND ANNOUNCEMENTS

Council Members can provide oral reports on attendance at intergovernmental agency meetings, conferences, seminars, or other Council events to comply with AB 1234 requirements (reimbursable expenses for official activities).

COUNCIL REFERRALS

Council Members may bring forward a Council Referral Memorandum (Memo) on any topic to be considered by the entire Council. The intent of this Council Referrals section of the agenda is to provide an orderly means through which an individual Council Member can raise an issue for discussion and possible direction by the Council to the appropriate Council Appointed Officers for action by the applicable City staff.

ADJOURNMENT**NEXT MEETING, October 20, 2020, 7:00 PM****PUBLIC COMMENT RULES**

Any member of the public desiring to address the Council shall limit her/his address to three (3) minutes unless less or further time has been granted by the Presiding Officer or in accordance with the section under Public Hearings. The Presiding Officer has the discretion to shorten or lengthen the maximum time members may speak. Speakers will be asked for their name before speaking and are expected to honor the allotted time. Speaker Cards are available from the City Clerk at the meeting.

PLEASE TAKE NOTICE

That if you file a lawsuit challenging any final decision on any public hearing or legislative business item listed in this agenda, the issues in the lawsuit may be limited to the issues that were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.

PLEASE TAKE FURTHER NOTICE

That the City Council adopted Resolution No. 87-181 C.S., which imposes the 90-day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

****Materials related to an item on the agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, City Hall, 777 B Street, 4th Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City's website. Written comments submitted to the Council in connection with agenda items will be posted on the City's website. All Council Meetings are broadcast simultaneously on the website and on Cable Channel 15, KHRT. ****

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or TDD (510) 247-3340.

Assistance will be provided to those requiring language assistance. To ensure that interpreters are available at the meeting, interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400.

CHILDCARE WILL NOT BE PROVIDED UNTIL FURTHER NOTICE DUE TO COUNTYWIDE SHELTER-IN PLACE ORDER.



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: CONS 20-423

DATE: October 6, 2020

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt a Resolution Authorizing the City Manager to Execute an Amendment to the Cooperating Agreement with East Bay Municipal Utility District to Prepare a Groundwater Sustainability Plan for the East Bay Plain Subbasin

That Council adopts a resolution (Attachment II) authorizing the City Manager to amend the Cooperating Agreement between the City of Hayward and the East Bay Municipal Utility District to jointly prepare a Groundwater Sustainability Plan for the East Bay Plain Subbasin.

SUMMARY

The Sustainable Groundwater Management Act (SGMA) was signed into law in 2014 to provide for comprehensive and sustainable management of groundwater resources within the State. Hayward (City) and the East Bay Municipal Utility District (EBMUD) are the Groundwater Sustainability Agencies (GSAs) for the portions of the East Bay Plain Groundwater Subbasin that underlie their respective service areas, and as such are jointly responsible for the long-term sustainable management of the Subbasin. On June 5, Council authorized execution of a Cooperating Agreement with EBMUD, under which the parties agree to work collaboratively and share the costs to prepare a single Groundwater Sustainability Plan (GSP) in accordance with SGMA. The Cooperating Agreement was amended in March 2019 to refine the scope of work and budget based on the actual consultant work plan and budget. A second amendment is recommended to incorporate additional needed tasks to improve the quality and quantity of data on which the GSP will be based, and to acquire and develop a data management system (DMS), incorporating the Basin's groundwater information, that will be accessible to the public. If approved, the additional work will increase Hayward's share of the total cost to prepare the GSP to a range of \$453,000 to \$528,000.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: October 6, 2020

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Authorizing the City Manager to Execute an Amendment to the Cooperating Agreement with East Bay Municipal Utility District to Prepare a Groundwater Sustainability Plan for the East Bay Plain Subbasin

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to amend the Cooperating Agreement between the City of Hayward and the East Bay Municipal Utility District to jointly prepare a Groundwater Sustainability Plan for the East Bay Plain Subbasin.

SUMMARY

The Sustainable Groundwater Management Act (SGMA) was signed into law in 2014 to provide for comprehensive and sustainable management of groundwater resources within the State. Hayward (City) and the East Bay Municipal Utility District (EBMUD) are the Groundwater Sustainability Agencies (GSAs) for the portions of the East Bay Plain Groundwater Subbasin that underlie their respective service areas, and as such are jointly responsible for the long-term sustainable management of the Subbasin. On June 5, Council authorized execution of a Cooperating Agreement with EBMUD, under which the parties agree to work collaboratively and share the costs to prepare a single Groundwater Sustainability Plan (GSP) in accordance with SGMA. The Cooperating Agreement was amended in March 2019 to refine the scope of work and budget based on the actual consultant work plan and budget. A second amendment is recommended to incorporate additional needed tasks to improve the quality and quantity of data on which the GSP will be based, and to acquire and develop a data management system (DMS), incorporating the Basin's groundwater information, that will be accessible to the public. If approved, the additional work will increase Hayward's share of the total cost to prepare the GSP to a range of \$453,000 to \$528,000.

BACKGROUND

Following several years of drought and severe and unsustainable depletion of groundwater resources, SGMA was signed into law in 2014 to provide for comprehensive and sustainable management of groundwater resources within the state. The legislation provides a framework for groundwater management at the local level through formation of GSAs, and

implementation of GSPs. These requirements are mandatory for medium- and high-priority ranked groundwater basins and voluntary for low- and very-low ranked basins. The City became the GSA for the portion of the medium-priority East Bay Plain Subbasin underlying the City in June 2017. EDMUD is the GSA for the remaining portion of the Subbasin.

As the GSA for a portion of the East Bay Plain Subbasin, the City is responsible for developing and implementing a GSP to sustainably manage and utilize groundwater within its management area without causing adverse results. SGMA requires that medium-priority basins be managed under an adopted GSP by January 31, 2022. Upon approval from the City Council on June 5, 2018, the City entered into an agreement with EBMUD to jointly prepare a single GSP for the entire Subbasin. Working collaboratively with EBMUD reduces duplication of technical work and thus the cost of preparing a GSP for both agencies. The link below to the June 5, 2018 Council report provides additional background and discussion on key provisions of the Cooperating Agreement.¹ The Cooperating Agreement was executed on June 25, 2019.

The Cooperating Agreement anticipated the use of outside consultants to assist with the preparation of the GSP, and thus included a preliminary scope of work, project schedule, and budget. In addition, EBMUD had submitted an application for grant monies under Proposition 1 to help fund the GSP development. Subsequently, the City and EBMUD jointly selected Luhdorff & Scalmanini Consulting Engineers (LSCE) to provide technical consultant assistance, and EBMUD, on behalf of the GSAs, was awarded funding and executed a grant agreement with the State Department of Water Resources for \$1 million. The City Council authorized the first amendment of the Cooperating Agreement on January 29, 2019 to reflect the actual scope of work, schedule, budget, and grant funding. The link below to the January 29, 2019 Council report provides additional information on this action.² The amended Cooperating Agreement was executed on March 19, 2019.

As work on the GSP has progressed, Hayward and EBMUD staff have identified additional tasks that would result in a more robust and effective GSP, and allow for better management of, and public access to the related data; specifically: 1) performing additional monitoring and analysis; and 2) developing a data management system (DMS) to organize essential data and make it publicly accessible. In order to make it financially feasible for the partners to implement this work, EBMUD staff applied for and was awarded a second grant on behalf of the GSAs in the amount of \$680,000, including \$80,000 for grant administration, for funding assistance through Proposition 68. A second amendment to the Cooperating Agreement is needed to revise the scope of work and to incorporate funding shares.

DISCUSSION

Staff recommends that the Cooperating Agreement be amended to include the additional scope of work for monitoring and analysis, and the development of a DMS in the scope of work and budget. A significant portion of the cost would be paid by the Proposition 68 grant, with a total local match in the range of \$254,000 to \$400,000, depending on the final cost for

¹ <http://hayward.legistar.com/gateway.aspx?M=F&ID=62cad132-db48-4124-90a7-1273a8819e7e.docx>

² <http://hayward.legistar.com/gateway.aspx?M=F&ID=8ef44b7c-0cf3-49d3-9cd8-4691229848f0.docx>

the services. The local match would be divided between the City and EBMUD. The following paragraphs describe the additional scope of work, consultant selection, and cost sharing.

Revisions to Scope of Work

Additional Monitoring and Analysis

LSCE performed an analysis of available technical data related to the Subbasin, including results of pump tests, well logs, seismic information and groundwater levels, and identified data gaps that could lead to less certain groundwater modeling results and sustainable yields. While the majority of available data is for the southern end of the Subbasin, which includes the portion that underlies the City, much of the data is from shallow zones. Additional intermediate- and deep-zone monitoring wells will help better define the hydrogeologic transition zone between the East Bay Plain Subbasin and the adjacent Niles Cone Subbasin, managed by the Alameda County Water District (ACWD), an issue of great importance to the City.

This task will include isotopic analyses to further investigate the hydrogeology and geochemistry of the Subbasin. Generally speaking, this highly sophisticated analysis uses the properties of water molecules to evaluate the age and origin of water samples and is useful in determining the connection between groundwater basins. Among other benefits of this work, it could assist in further developing a clearer delineation of the boundary between the East Bay Plain Subbasin and Niles Cone Subbasin.

Funding is available for wells to be drilled in two sites within the City's groundwater management area. Staff would work with the consultant to identify suitable locations on City-owned properties and to ensure that the work is done in accordance with all City standards and requirements.

Data Management System

This new task will provide for the acquisition and development of a database to manage existing and future data, and to make it accessible to a wide range of stakeholders across the Subbasin, including government entities, environmental organizations, and the public. Functioning as a data repository for the East Bay Plain Subbasin, the DMS will provide comprehensive management, storage and backup, and public access that does not currently exist. This project will be jointly implemented by the City and EBMUD.

Consultant Selection

The Cooperating Agreement outlines a process for EBMUD to be the Contracting Entity for the GSP consultants and for the parties to jointly select a qualified firm. EBMUD issued a request for proposals in July to carry out the additional monitoring work. Although a number of firms showed initial interest, only LSCE submitted a proposal. EBMUD and City staff performed an objective review of the proposal and determined that LSCE has proposed a highly qualified team and a reasonable number of hours for the work. Through its prior work with the City,

LSCE is familiar with the East Bay Plain Subbasin, especially the southern part that underlies Hayward. The total cost of their proposal is \$760,630. In order to comply with internal procedures, EBMUD will be executing separate agreements with LSCE for the technical and project development tasks, in the amount of \$424,740 and with Bradley & Sons Drilling for the field work, in the amount of \$335,890. EBMUD staff is preparing to request approval from its Board of Directors at their October 20, 2020 meeting, to execute an agreement with LSCE and Bradley & Sons Drilling and to amend the Cooperating Agreement with the City.

A separate request for proposals will be issued by EBMUD for the DMS since there are a number of potential vendors and platforms that could be utilized. At a minimum, the system will feature a web-based user interface, built-in GIS compatibility, secure storage and back-up, and customizable applications. The RFP is currently being prepared, and Information Technology staff from both agencies will play a key role in identifying the project needs and scope of work and making a final selection.

Cost Share Allocations for Additional Work

Under the terms of the Cooperating Agreement, as amended in March 2019, the City will reimburse EBMUD for 35 percent of the invoiced consultant costs, up to a maximum of \$557,000. The net current cost to the City, after receipt of the Proposition 1 grant funding, is not expected to exceed \$207,000. As described in the June 5, 2018 report, EBMUD will set up a separate account to deposit agency contributions, grant funds, and to make disbursements to consultants.

Staff recommends the City contribute 35% of the local cost for the additional monitoring wells and sampling. This cost allocation recognizes the fact that more existing data is available for the southern end of the Subbasin, while less is known about the portion of the Subbasin managed by EBMUD. The proposed cost for consultant services related to this work is \$760,630, of which \$532,000 will be covered by the Proposition 68 grant and another \$6,200 is related to grant administration and not included in the City's cost share. Thus, the total local share for the field and analytical work to be paid by EBMUD and the City would be \$222,430, 35 percent or \$77,850 of which would be the City's responsibility.

The DMS will benefit both entities equally and staff recommends the City reimburse EBMUD for 50% of the local match for this portion of the additional work. The estimated total cost of this work ranges from \$100,000 to \$250,000 depending on the selected platform. Grant funding in the amount of \$68,000 is available for this work, with the local match in the range of \$32,000 to \$182,000. The City's cost share is not expected to exceed \$91,000.

There is potential for additional grant funds in the amount of \$78,467, which is contingent upon future appropriation by the State of Proposition 1 funding. The availability of these funds is uncertain and if granted, would not be awarded until after July 1, 2021. For these reasons, staff is not including the additional funds in the financial analysis at this time.

The following table summarizes the estimated City share of the costs to prepare a GSP, assuming approval of staff's recommendation.

Table 1. Estimated City Share of Costs to Prepare GSP

	Cooperating Agreement Budget March 2019	Cooperating Agreement Amended Budget September 2020
Total Consultant Budget	\$1,591,442	\$2,452,072 - \$2,602,072
City Share of Consultant Cost		
Estimated Maximum Cost-Share (Upfront Cost)	\$557,000	\$873,000 - \$948,000
Maximum Prop 1 Grant Reimbursement	(\$350,000)	(\$350,000)
Maximum Prop 68 Grant Reimbursement	\$0	(\$220,000)
Net Cost Share	\$207,000	\$303,000 - \$378,000
City staff time (estimated)	\$150,000	\$150,000
Total	\$357,000	\$453,000 - \$528,000

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of Improve Infrastructure; specifically:

- Project 13. Upgrade Water System Infrastructure

ECONOMIC IMPACTS

Cost for implementing the GSP have not been fully evaluated and will largely depend on the actions needed to sustainably manage the basin. SGMA provides mechanisms for GSAs to recover costs for groundwater management through water rates, pump and extraction fees, and grant funding. Implementation costs are difficult to estimate at this time but are not expected to significantly impact customer water rates.

FISCAL IMPACT

The Water Improvement Fund in the Capital Improvement Program (CIP) includes funds for groundwater-related activities such as preparation and implementation of the GSP. At this time, staff anticipates the costs for developing a GSP and DMS will not exceed \$528,000 including reimbursement to EBMUD for consultant fees and \$150,000 for internal costs. There is potential for additional costs as work on the GSP progresses; however, none are anticipated at this time. The allocation in the CIP is sufficient to fund the City’s share of preparing the technical studies and investigations, along with developing a GSP that complies with SGMA

requirements. Implementation costs will depend on the needed actions. There will be no impact on the General Fund.

SUSTAINABILITY FEATURES

The City's role as a GSA, along with its responsibility for developing a GSP, provide the authority to ensure that the groundwater beneath the City is protected and sustainably managed for the future. A long-term commitment to groundwater sustainability increases the City's overall water supply reliability, maximizes local sources, and diversifies the City's water supplies, which will help the City respond to future water supply uncertainties and the effects of climate change.

PUBLIC CONTACT

SGMA requires active stakeholder participation in the development of GSPs to ensure common understanding and transparency throughout the process. Key stakeholders in the City include large groundwater users and neighboring agencies, such as the Hayward Area Park and Recreation District, Chabot College, Alameda County, and ACWD. Staff has developed an interested parties' list to keep stakeholders apprised of groundwater activities, and together with EBMUD, is implementing a Stakeholder Communications and Engagement Plan. This Plan provides a roadmap for meeting SGMA's requirements for stakeholder outreach and incorporates a broad variety of communication methods. A Technical Advisory Committee, comprised of professionals with diverse perspectives and expertise, has been formed to review technical documents and make recommendations. Both the City and EBMUD maintain websites³ where interested parties can access information and documents.

NEXT STEPS

If the City Council concurs, staff will amend the Cooperating Agreement with EBMUD and work with EBMUD staff and the consultant team to implement the additional tasks.

Prepared by: Cheryl Muñoz, Water Resources Manager
Marilyn Mosher, Senior Management Analyst

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

³ <https://www.hayward-ca.gov/content/sustainable-groundwater-management>

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE COOPERATING AGREEMENT WITH EAST BAY MUNICIPAL UTILITY DISTRICT FOR PREPARATION OF A GROUNDWATER SUSTAINABILITY PLAN FOR THE EAST BAY PLAIN SUBBASIN

WHEREAS, the California Legislature has adopted, and the Governor has signed into law, the Sustainable Groundwater Management Act of 2014 (SGMA), which authorizes local agencies to ensure sustainable management of groundwater resources; and

WHEREAS, SGMA requires that by January 31, 2022, all groundwater basins designated by the California Department of Water Resources (DWR) as high- or medium-priority basins that are not subjected to critical conditions of overdraft be managed under a single Groundwater Sustainability Plan (GSP), coordinated GSPs prepared by the Groundwater Sustainability Agency or Agencies (GSA) managing the basin, or an alternative plan, as provided for in Cal. Water Code Section 10720.7(a); and

WHEREAS, the East Bay Plain Subbasin 2-009.04 (East Bay Plain Subbasin) is categorized as a medium-priority groundwater basin and subject to the provisions of SGMA; and

WHEREAS, Hayward and East Bay Municipal Utility District (EBMUD) are the exclusive GSAs for their respective management areas in the East Bay Plain Subbasin; and

WHEREAS, Hayward and EBMUD have agreed that working cooperatively to prepare a single GSP that covers the entire East Bay Plain Subbasin would be feasible and mutually beneficial; and

WHEREAS, on June 5, 2018, the Hayward City Council authorized the City Manager to execute a Cooperating Agreement with EBMUD to set forth the roles, responsibilities, cost-sharing, and other commitments to jointly prepare a single GSP for the East Bay Plain Subbasin in compliance with SGMA; and

WHEREAS, the Cooperating Agreement was fully executed on June 25, 2018; and

WHEREAS, on March 19, 2019, the Cooperating Agreement was amended to reflect the final scope of work, schedule and budget for development of the GSP; and

WHEREAS, the Parties have agreed that the Project will benefit from revising the scope of work to include additional groundwater monitoring and analyses, and from the acquisition and implementation of a data management system (DMS), and have agreed on a budget and cost-share for this additional work; and

WHEREAS, sufficient funding is approved in the Water Improvement Fund in the adopted FY 2021- 2030 Capital Improvement Program; and

WHEREAS, it is in the best interests of both parties to amend the Cooperating Agreement to incorporate the additional tasks, and amending the Cooperating Agreement will have no material effect on the terms and provisions of the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes the City Manager to amend the Cooperating Agreement with East Bay Municipal Utility District for preparation of a Groundwater Sustainability Plan for the East Bay Plain Subbasin to incorporate additional tasks related to groundwater monitoring and analysis and implementation of a data management system.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: CONS 20-477

DATE: October 6, 2020

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT

Adopt a Resolution Approving the Utility Service Agreement and Authorizing the City Manager to File an Application with the Alameda County Local Agency Formation Commission (LAFCo) for Approval of an Out-of-Service Area Agreement and Execute Utility Service and Public Street Improvement Agreements with the Applicant for a Property on Fairview Avenue in Unincorporated Alameda County for Applicants Anthony Barraza & V Anna

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving the Utility Service Agreement 20-02 and authorizing the City Manager to file an application with the Alameda County Local Agency Formation Commission (LAFCo) for approval of an out-of-service area agreement and execute Utility Service and Public Street Improvement Agreements with the Applicant.

SUMMARY

The property owners intend to submit an application to Alameda County for a Building Permit to build a new single-family home on their undeveloped land and need water service from the City of Hayward, as there is no other water provider in their close vicinity. The property is located within the City of Hayward's Sphere of Influence (City's SOI) and Water Service Area (Attachment III). The applicant's future water service will be tied to either an 8" water main on Fairview Avenue or a 6" water main on Amyx Court.

Approval of the resolution would authorize the City Manager to file an application with LAFCo for approval of an out-of-service area agreement and to negotiate and execute a Utility Service and Public Street Improvement agreement with the property owners. Upon LAFCo approval of the out-of-service area agreement, the applicant would apply for the necessary building permits with Alameda County.

File #: CONS 20-477

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Hayward Sphere of Influence Map
Attachment IV	Utility Service Agreement
Attachment V	Deferred Street Improvement Agreement



DATE: October 6, 2020

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Adopt a Resolution Approving the Utility Service Agreement and Authorizing the City Manager to File an Application with the Alameda County Local Agency Formation Commission (LAFCo) for Approval of an Out-of-Service Area Agreement and Execute Utility Service and Public Street Improvement Agreements with the Applicant for a Property on Fairview Avenue in Unincorporated Alameda County for Applicants Anthony Barraza & V Anna

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving the Utility Service Agreement 20-02 and authorizing the City Manager to file an application with the Alameda County Local Agency Formation Commission (LAFCo) for approval of an out-of-service area agreement and execute Utility Service and Public Street Improvement Agreements with the Applicant.

SUMMARY

The property owners intend to submit an application to Alameda County for a Building Permit to build a new single-family home on their undeveloped land and need water service from the City of Hayward, as there is no other water provider in their close vicinity. The property is located within the City of Hayward's Sphere of Influence (City's SOI) and Water Service Area (Attachment III). The applicant's future water service will be tied to either an 8" water main on Fairview Avenue or a 6" water main on Amyx Court.

Approval of the resolution would authorize the City Manager to file an application with LAFCo for approval of an out-of-service area agreement and to negotiate and execute a Utility Service and Public Street Improvement agreement with the property owners. Upon LAFCo approval of the out-of-service area agreement, the applicant would apply for the necessary building permits with Alameda County.

BACKGROUND AND DISCUSSION

Anthony Barraza & V Anna own the property located within the City of Hayward's Sphere of Influence (City's SOI) and Water Service Area (Attachment III). The City's 8-inch water main located in Fairview Avenue or the City's 6-inch water main located in Amyx Court have capacity to provide water service to this property.

Longstanding City policy allows parcels located in the unincorporated portion of the County to connect to the City's water system where parcels are within the City's SOI and Service Area. Furthermore, State law requires that a city file an application to the applicable LAFCo for approval of an out-of-area service agreement prior to providing its utility service to a property located within its Sphere of Influence but outside its jurisdictional boundaries.

Pursuant to the City policy, the owner has signed a Public Street Improvement Agreement committing to improve Fairview Avenue and Amyx Court to meet the City's standards at a future date and agreeing to a future annexation of the property, if requested by the City. Requiring such an agreement is consistent with past practice for providing utility services to properties outside City of Hayward's jurisdictional boundaries, but within the boundaries of the City's Water Service Area.

ENVIRONMENTAL REVIEW

Environmental review is not required for approval of a utility service agreement and utility service pursuant to Section 15061(b) (3) of the California Environmental Quality Act (CEQA) Guidelines.

ECONOMIC IMPACT

The requested action would not have any economic impact.

FISCAL IMPACT

Consistent with the FY2020-21 Master Fee Schedule, the applicant has provided a refundable initial deposit of \$5,000 to the City that will be used to reimburse the city's charges for its staff time and materials expended to process this application. Should Council approve this action and thereafter LAFCo approve the out-of-service area application, the applicant would submit an application and additional deposit to the City for review and approval of Improvement Plan for their water service connection to the City of Hayward's water main and pay for the related water system connection and service charges.

STRATEGIC ROADMAP

This agenda item is a routine operational item and does not relate to any of the six priorities outlined in the Council's Strategic Roadmap.

SUSTAINABILITY FEATURES

This action would not have any sustainability features.

PUBLIC CONTACT

A public hearing is not required for authorizing the city staff to file an application to LAFCo for the Out of Service Area application or executing agreements with the property owners.

NEXT STEPS

Should the Council authorize the filing of an out-of-service area application with LAFCo, staff will submit an application for the out of service area agreement and attend LAFCo's public hearing. Upon receiving LAFCo approval, the agreements with the property owners will be executed. The property owner will be required to submit improvement plans for the water service connection, prepared by a State licensed professional, which will be reviewed and approved by the City Engineer. Property owners will secure the required construction permits, pay for the required fees, and complete water service connection related improvements as per the city approved plans and acceptable to the City's inspectors.

Prepared by: Saeed Saebi, PE, Associate Civil Engineer
Mo Sharma, Interim Development Services Engineer

Recommended by: Laura Simpson, Development Services Director

Approved by:

A handwritten signature in black ink, appearing to read 'Kelly McAdoo', is written over a horizontal line.

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-_____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE ALAMEDA COUNTY LOCAL AGENCY FORMATION COMMISSION FOR THE CITY TO PROVIDE WATER SERVICE TO THE PROPERTY OUTSIDE ITS CURRENT SERVICE AREA BEARING ASSESSOR'S PARCEL NUMBER 425-280-5-3, AND TO EXECUTE UTILITY SERVICE AND PUBLIC STREET IMPROVEMENT AGREEMENTS WITH THE PROPERTY OWNERS

WHEREAS, water service from the City of Hayward (City) has been requested by the owner of the property fronting Fairview Avenue and Amyx Court, bearing Assessor's Parcel No. 425-280-5-3 (the Property); and

WHEREAS, the Property is located within the City of Hayward's Sphere of Influence; and

WHEREAS, pursuant to City policy, the Property owner has signed Public Street Improvement and Utility Service Agreements to install street improvements across the Property frontage at a future date and to agree to annexation of the Property into Hayward when requested by City; and

WHEREAS, the City is required to apply to the Alameda County Local Agency Formation Commission (LAFCO) for approval of out-of-service area agreements to allow the City of Hayward to provide water service to properties located outside the City limits; and

WHEREAS, the Property owner has agreed to pay the LAFCO application processing costs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is authorized to direct staff to file an application with the Alameda County Local Agency Formation Commission requesting that the City of Hayward be allowed to provide sewer service for the Property.

BE IT FURTHER RESOLVED that, provided LAFCO approves an out-of-area service agreement pursuant to Government Code §56133, the City Manager is also authorized to execute a utility service agreement (Utility Service Agreement 20-02) and a public street improvement agreement in the form of the agreements on file in the office of the City Clerk, to which reference may be made for further particulars.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

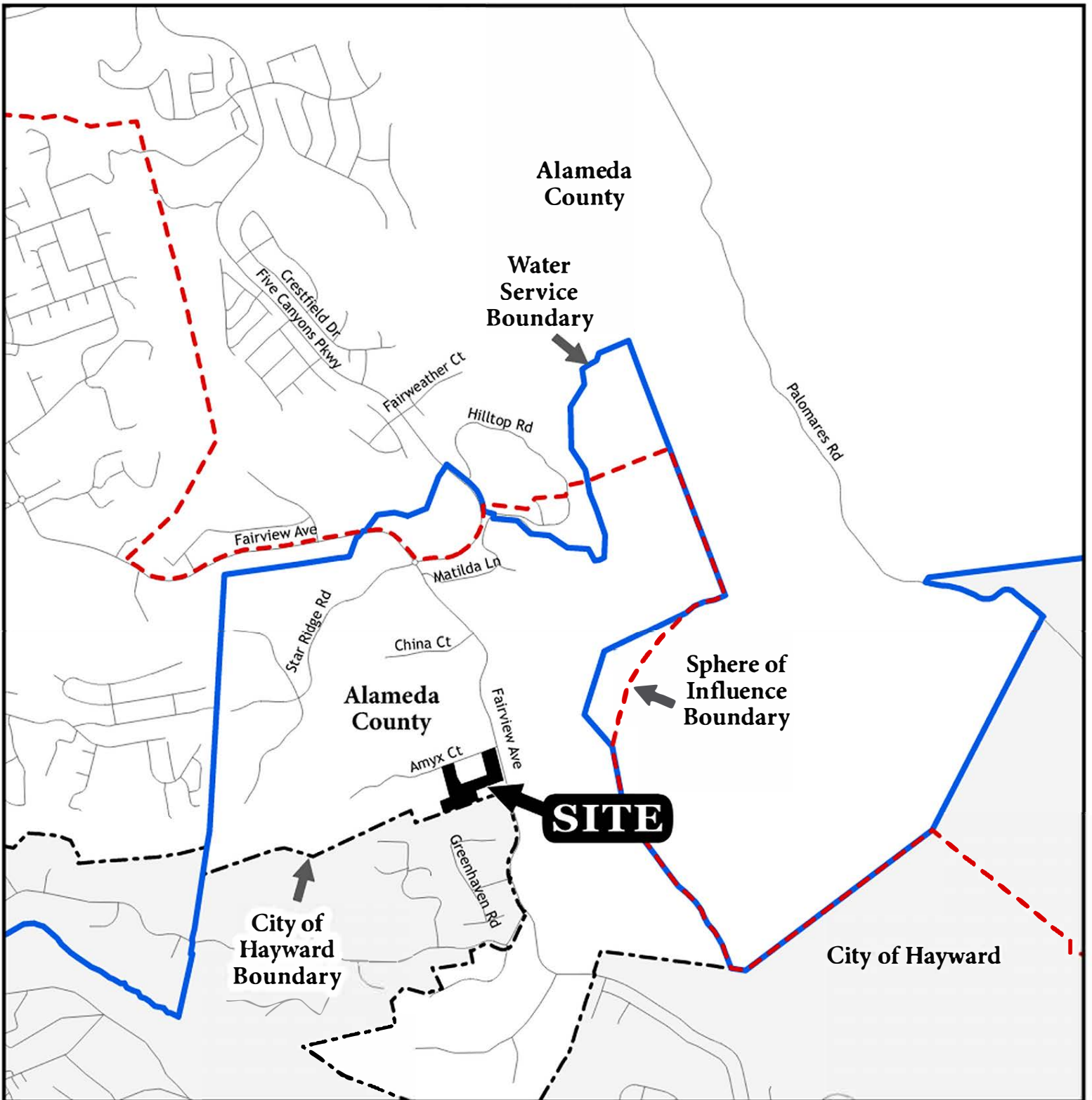
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



City of Hayward Sphere of Influence

USA 20-02
26795 Fairview Ave

Mile 0

0.5



RECORDING REQUESTED BY

CITY OF HAYWARD

AND WHEN RECORDED MAIL TO:

City Clerk
City of Hayward
777 B Street, Fourth Floor
Hayward, CA 94541-5007

SPACE ABOVE THIS LINE FOR RECORDERS USE

The undersigned grantor hereby declares: This instrument is exempt from Recording Fees (Govt. Code §27383) and from Documentary Transfer Tax (Rev. and Taxation Code §11922).

UTILITY SERVICE AGREEMENT 20-01

Assessor’s Parcel Number: 425-0280-005-03

At Assessor’s Parcel Number 425-280-5-3, Hayward, CA, Unincorporated area of Alameda County

THIS AGREEMENT, made and entered into this _____ day of _____, 2020 by and between Anthony Barraza & V Anna, property owners, the nature of interest in fee, hereinafter designated “Applicant” and the CITY OF HAYWARD, a municipal corporation, located in the County of Alameda, State of California, hereinafter designated "City";

A G R E E M E N T

WHEREAS, Applicant is the owner of a certain real property in the Unincorporated area of County of Alameda, State of California, commonly designated as Assessor’s Parcel Number 425-0280-005-03, located outside of the City of Hayward’s jurisdictional boundaries but within the City’s Ultimate Municipal Water Service Area, in the County of Alameda, and more particularly described on Exhibit "A," attached hereto and made a part hereof:

WHEREAS, Applicant, by Planning Application USA 20-01, has requested to be allowed to extend and connect to the City of Hayward 8-inch in diameter water main along Fairview Avenue or to the City of Hayward 6-inch in diameter water main along Amyx Court.

NOW THEREFORE, in consideration of the premises, terms, and conditions of this Agreement, the parties hereto do mutually agree as follows:

- 1) City agrees to authorize the construction of a water connection to the City of Hayward Water System, upon formal approval by the Alameda County Local Agency Formation Commission.
- 2) Connection to the water system is subject to the provisions of applicable ordinances of the City of Hayward, and the fee schedules in effect at the time water service permits are issued.
- 3) Applicant is hereby consent to the property being annexed to the City of Hayward when annexation is requested by the City.
- 4) If applicant withdraws or attempts to withdraw consent to annex the property, City may, at its option, terminate this agreement and all privileges granted hereunder, whereupon this agreement shall be null and void.
- 5) Prior to a connection to the City of Hayward water system being commenced, Applicant agrees to enter into an "Agreement for Completion of Public Street Improvement Work" for the improvements of Amyx Court and Fairview Avenue across the full frontage of subject parcel.
- 6) All covenants herein contained shall pertain to and run with the land hereinabove described, and this Agreement shall apply to, bind, and inure to the Applicant's successors in interest of the party hereto.
- 7) This Agreement shall be null and void after 365 days from, and after the date of recordation of this agreement by the CITY, if the construction work for the water connection has not been commenced. The City may, at its option, consider an extension of time requested by Applicants, and grant additional 365 days to complete the construction work.

IN WITNESS WHEREOF, Applicants, duly authorized to act, has caused these presents to be executed and the City of Hayward by and through its City Manager, duly authorized to so act by virtue of Resolution No. _____, has caused these presents to be executed the day and year first above written.

APPLICANT

BY: _____
Anthony Barraza

BY: _____
V Anna

APPROVED:

CITY OF HAYWARD,
a municipal corporation

BY: _____
Alex Ameri, Director of Public Works

BY: _____
Kelly McAdoo, City Manager

DATE: _____

APPROVED AS TO FORM:

ATTEST:

Michael Lawson, City Attorney

Miriam Lens, City Clerk

EXHIBIT "A" Legal Description

Real property in the unincorporated area of the County of Alameda, State of California, described as follows:

PARCEL 1:

A PORTION OF THAT PARCEL DESCRIBED IN THE GRANT DEED FROM GOODWIN TO STOKES, RECORDED APRIL 30, 2002, AT SERIES NO. [2002-192010](#), ALAMEDA COUNTY RECORDS, AND A PORTION OF THAT PARCEL DESCRIBED IN THE GRANT DEED FROM STOKES TO SZABO, RECORDED DECEMBER 01, 2016, AT SERIES NO. [2016-313305](#), ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE CENTER LINE OF COUNTY ROAD NO. 7791, 60 FEET WIDE, ALSO KNOWN AS FAIRVIEW AVENUE, LOCATED THEREON SOUTH 15°24'30" EAST 263.36 FEET FROM THE NORTHERN END OF THE COURSE DESIGNATED AS "SOUTH 15°24'30" EAST" IN THE DESCRIPTION OF SAID COUNTY ROAD IN THE DEED TO THE COUNTY OF ALAMEDA, RECORDED NOVEMBER 04, 1936, IN [BOOK 3398 O.R., PAGE 226](#), ALAMEDA COUNTY RECORDS; THENCE SOUTH 69°18'30" WEST 30.13 FEET TO A POINT ON THE WESTERN LINE OF SAID FAIRVIEW AVENUE LAST SAID POINT BEING THE MOST NORTHEASTERN CORNER OF AFORESAID STOKES PARCEL ([2002 192010](#)) AND ALSO BEING THE TRUE POINT OF BEGINNING; THENCE ALONG THE GENERAL NORTHERN LINE OF SAID STOKES PARCEL SOUTH 69°18'30" WEST 170.00 FEET TO THE EASTERN LINE OF AFORESAID SZABO PARCEL ([2016 313305](#)); THENCE ALONG LAST SAID LINE SOUTH 15°24'30" EAST 259.00 FEET TO THE GENERAL SOUTHERN LINE OF SAID SZABO PARCEL; THENCE ALONG LAST SAID LINE SOUTH 69°18'30" WEST 193.00 FEET AN ANGLE POINT THEREIN; THENCE CONTINUING SOUTH 69°18'30" WEST 153.17 FEET TO THE WESTERN LINE OF SAID SZABO PARCEL; THENCE NORTH 30°56'09" WEST 109.67 FEET; THENCE NORTH 14°52'29" WEST 150.75 FEET TO THE GENERAL NORTHERN LINE OF SAID STOKES PARCEL ([2002 192010](#)); THENCE ALONG LAST SAID LINE SOUTH 69°18'30" WEST 144.50 TO THE MOST NORTHEASTERN CORNER OF SAID STOKES PARCEL; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID STOKES PARCEL THE FOLLOWING SIX (6) COURSES AND DISTANCES:

1. SOUTH 14°52'29" EAST 363.00 FEET,
2. SOUTH 69°18'30" WEST 125.00 FEET,
3. SOUTH 14°52'29" EAST 146.12 FEET,
4. NORTH 69°19'40" EAST 455.49 FEET,
5. NORTH 15°24'30" WEST 125.00 FEET AND
6. NORTH 69°19'40" EAST 363.00 FEET TO THE AFORESAID WESTERN LINE OF FAIRVIEW AVENUE;

THENCE ALONG LAST SAID LINE NORTH 15°24'30" WEST 383.94 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

A NON- EXCLUSIVE EASEMENT FOR ROAD, SEWER AND PUBLIC UTILITY PURPOSES, AS GRANTED TO ALFRED D. ARLINGTON, ET UX., BY INSTRUMENT RECORDED AUGUST 26, 1954, IN BOOK 7408 O.R., PAGE 10, AT SERIES NO. [AJ/74263](#), ALAMEDA COUNTY RECORDS, SAID NON-EXCLUSIVE EASEMENT BEING A PORTION OF THAT 50 FOOT WIDE PRIVATE STREET COMMONLY KNOWN AS AMYX COURT AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF COUNTY ROAD NO. 7791, 60 FEET WIDE, ALSO KNOWN AS FAIRVIEW AVENUE, LOCATED THEREON SOUTH 15°24'30" EAST 263.36 FEET FROM THE NORTHERN END OF THE COURSE DESIGNATED AS "SOUTH 15°24'30" EAST" IN THE DESCRIPTION OF SAID COUNTY ROAD IN THE DEED TO THE COUNTY OF ALAMEDA, RECORDED NOVEMBER 04, 1936, IN

[BOOK 3398 O.R., PAGE 226](#), ALAMEDA COUNTY RECORDS; THENCE SOUTH 69°18'30" WEST 843.88 FEET; THENCE NORTH 20°41'30" WEST 50.00 FEET; THENCE NORTH 69°18'30" EAST 848.50 FEET TO AFORESAID CENTERLINE OF COUNTY ROAD NO. 7791; THENCE ALONG LAST SAID LINE SOUTH 15°24'30" EAST 50.21 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN THE LINES OF COUNTY ROAD NO. 7791.

BEARINGS AND DISTANCES FOR THIS DESCRIPTION ARE BASED ON RECORD OF SURVEY, R/S NO. 1877, FILED FEBRUARY 11, 2004, IN [BOOK 28 R.S., PAGE 76](#), ALAMEDA COUNTY RECORDS.

THIS LEGAL IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PLN 2017-00195, RECORDED DECEMBER 04, 2017, AS INSTRUMENT NO. [2017266401](#) OF OFFICIAL RECORDS.

[APN](#): Portions of 425-0280-005 and 425-0280-006

RECORDING REQUESTED BY

CITY OF HAYWARD

AND WHEN RECORDED MAIL TO:

City Clerk
City of Hayward
777 B Street, Fourth Floor
Hayward, CA 94541-5007

SPACE ABOVE THIS LINE FOR RECORDERS USE

The undersigned grantor hereby declares: This instrument is exempt from Recording Fees (Govt. Code §27383) and from Documentary Transfer Tax (Rev. and Taxation Code §11922).

AGREEMENT FOR COMPLETION OF PUBLIC STREET IMPROVEMENT WORK

Assessor's Parcel Number: 425-0280-005-03

At Fairview Avenue, Hayward, CA, Unincorporated area of Alameda County

THIS AGREEMENT, made and entered into this _____ day of _____, 2020 by and between ANTHONY BARRAZA & V ANNA, property owners, the nature of interest in fee, hereinafter designated "First Party," and the CITY OF HAYWARD, a municipal corporation, located in the County of Alameda, State of California, hereinafter designated "City";

WITNESSETH

WHEREAS, First Party is the owner of real property in the Unincorporated Area of County of Alameda, State of California, commonly as Assessor's Parcel Number 425-0280-005-03, and more particularly described in Exhibit "A" attached hereto, incorporated herein, and made a part hereof by such reference; and

WHEREAS, First Party, by Planning Permit Application USA 20-02, has applied to City for permission to receive domestic water service from the City's water system; and

WHEREAS, pursuant to the provisions of Utility Service Agreement 20-02, recorded _____, in Official Records of Alameda County under Recorder's Series No. _____, First Party is required, among other things, to enter into this agreement for the construction of certain street improvements, including curbs, gutters, sidewalks and

street paving or portions of the same, along Fairview Avenue frontage of said premises; and

WHEREAS, First Party is agreeable to meeting said obligation, however, it is mutually agreed that the installation of such improvements is not required until after said real property has been annexed into the City.

NOW, THEREFORE, in consideration of the premises, and of the mutual promises, covenants and agreements of the parties hereinafter contained, the parties hereto mutually agree as follows:

1. Pursuant to the authority of Section 7-1.15 of the Hayward Municipal Code, City hereby grants to First Party a variance from the application of Section 7-1.10 of the Hayward Municipal Code wherein it is required that the street improvements be installed in conjunction with improvements to the abutting property.
2. First Party hereby agrees to install or cause the installation of said street improvements in accordance with the requirements of Chapter 7, Article 1 of the Hayward Municipal Code within ninety (90) days after notice to begin the construction of said improvements is sent by the City to the First Party, its successors or assigns. First Party further agrees to comply with all permit requirements set forth in said regulations and to diligently process the work to completion within the time specified.

Such street improvements shall consist of Portland Cement Concrete curb, gutter, sidewalk, and drainage facilities with necessary "tie-in" pavement unless the City of Hayward shall have adopted a Special Precise Plan Line limiting such improvements.

3. In the event of default by First Party in undertaking and completing the required improvements, City is hereby authorized to cause such improvement work to be done and the cost thereof to be assessed as a lien against the real property herein above described, which lien may be foreclosed upon if necessary. Such foreclosure shall be authorized in the event First Party fails within thirty (30) days after the receipt of notice, to pay all sums due City on account of such work.
4. Should legal action be necessary to enforce any provisions of this agreement, First Party agrees to pay all reasonable attorney fees incurred by City in connection therewith.
5. At such time as the installation of improvements for which First Party is herein made responsible has been accomplished in accord with this agreement, City agrees to cause to be executed all necessary documents releasing the herein above described property from further obligation hereunder.

6. All covenants herein contained shall pertain to and run with the real property described herein, and this agreement shall apply to, bind and inure to the successors in interest of the parties hereto.

IN WITNESS WHEREOF, First Party, duly authorized to act, has caused these presents to be executed, and the City of Hayward, by and through its City Manager, duly authorized so to act by reason of Section 7-1.15 of the Hayward Municipal Code, has caused these presents to be executed the day and year first above written.

APPLICANT

BY: _____
ANTHONY BARRAZA

BY: _____
V ANNA

APPROVED:

CITY OF HAYWARD,
a municipal corporation

BY: _____
Alex Ameri, Director of Public Works

BY: _____
Kelly McAdoo, City Manager

DATE: _____

APPROVED AS TO FORM:

ATTEST:

Michael Lawson, City Attorney

Miriam Lens, City Clerk

EXHIBIT "A" Legal Description

Real property in the unincorporated area of the County of Alameda, State of California, described as follows:

PARCEL 1:

A PORTION OF THAT PARCEL DESCRIBED IN THE GRANT DEED FROM GOODWIN TO STOKES, RECORDED APRIL 30, 2002, AT SERIES NO. [2002-192010](#), ALAMEDA COUNTY RECORDS, AND A PORTION OF THAT PARCEL DESCRIBED IN THE GRANT DEED FROM STOKES TO SZABO, RECORDED DECEMBER 01, 2016, AT SERIES NO. [2016-313305](#), ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE CENTER LINE OF COUNTY ROAD NO. 7791, 60 FEET WIDE, ALSO KNOWN AS FAIRVIEW AVENUE, LOCATED THEREON SOUTH 15°24'30" EAST 263.36 FEET FROM THE NORTHERN END OF THE COURSE DESIGNATED AS "SOUTH 15°24'30" EAST" IN THE DESCRIPTION OF SAID COUNTY ROAD IN THE DEED TO THE COUNTY OF ALAMEDA, RECORDED NOVEMBER 04, 1936, IN [BOOK 3398 O.R., PAGE 226](#), ALAMEDA COUNTY RECORDS; THENCE SOUTH 69°18'30" WEST 30.13 FEET TO A POINT ON THE WESTERN LINE OF SAID FAIRVIEW AVENUE LAST SAID POINT BEING THE MOST NORTHEASTERN CORNER OF AFORESAID STOKES PARCEL ([2002 192010](#)) AND ALSO BEING THE TRUE POINT OF BEGINNING; THENCE ALONG THE GENERAL NORTHERN LINE OF SAID STOKES PARCEL SOUTH 69°18'30" WEST 170.00 FEET TO THE EASTERN LINE OF AFORESAID SZABO PARCEL ([2016 313305](#)); THENCE ALONG LAST SAID LINE SOUTH 15°24'30" EAST 259.00 FEET TO THE GENERAL SOUTHERN LINE OF SAID SZABO PARCEL; THENCE ALONG LAST SAID LINE SOUTH 69°18'30" WEST 193.00 FEET AN ANGLE POINT THEREIN; THENCE CONTINUING SOUTH 69°18'30" WEST 153.17 FEET TO THE WESTERN LINE OF SAID SZABO PARCEL; THENCE NORTH 30°56'09" WEST 109.67 FEET; THENCE NORTH 14°52'29" WEST 150.75 FEET TO THE GENERAL NORTHERN LINE OF SAID STOKES PARCEL ([2002 192010](#)); THENCE ALONG LAST SAID LINE SOUTH 69°18'30" WEST 144.50 TO THE MOST NORTHEASTERN CORNER OF SAID STOKES PARCEL; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID STOKES PARCEL THE FOLLOWING SIX (6) COURSES AND DISTANCES:

1. SOUTH 14°52'29" EAST 363.00 FEET,
2. SOUTH 69°18'30" WEST 125.00 FEET,
3. SOUTH 14°52'29" EAST 146.12 FEET,
4. NORTH 69°19'40" EAST 455.49 FEET,
5. NORTH 15°24'30" WEST 125.00 FEET AND
6. NORTH 69°19'40" EAST 363.00 FEET TO THE AFORESAID WESTERN LINE OF FAIRVIEW AVENUE;

THENCE ALONG LAST SAID LINE NORTH 15°24'30" WEST 383.94 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

A NON- EXCLUSIVE EASEMENT FOR ROAD, SEWER AND PUBLIC UTILITY PURPOSES, AS GRANTED TO ALFRED D. ARLINGTON, ET UX., BY INSTRUMENT RECORDED AUGUST 26, 1954, IN BOOK 7408 O.R., PAGE 10, AT SERIES NO. [AJ/74263](#), ALAMEDA COUNTY RECORDS, SAID NON-EXCLUSIVE EASEMENT BEING A PORTION OF THAT 50 FOOT WIDE PRIVATE STREET COMMONLY KNOWN AS AMYX COURT AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF COUNTY ROAD NO. 7791, 60 FEET WIDE, ALSO KNOWN AS FAIRVIEW AVENUE, LOCATED THEREON SOUTH 15°24'30" EAST 263.36 FEET FROM THE NORTHERN END OF THE COURSE DESIGNATED AS "SOUTH 15°24'30" EAST" IN THE DESCRIPTION OF SAID COUNTY ROAD IN THE DEED TO THE COUNTY OF ALAMEDA, RECORDED NOVEMBER 04, 1936, IN

First American Title

[BOOK 3398 O.R., PAGE 226](#), ALAMEDA COUNTY RECORDS; THENCE SOUTH 69°18'30" WEST 843.88 FEET; THENCE NORTH 20°41'30" WEST 50.00 FEET; THENCE NORTH 69°18'30" EAST 848.50 FEET TO AFORESAID CENTERLINE OF COUNTY ROAD NO. 7791; THENCE ALONG LAST SAID LINE SOUTH 15°24'30" EAST 50.21 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN THE LINES OF COUNTY ROAD NO. 7791.

BEARINGS AND DISTANCES FOR THIS DESCRIPTION ARE BASED ON RECORD OF SURVEY, R/S NO. 1877, FILED FEBRUARY 11, 2004, IN [BOOK 28 R.S., PAGE 76](#), ALAMEDA COUNTY RECORDS.

THIS LEGAL IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PLN 2017-00195, RECORDED DECEMBER 04, 2017, AS INSTRUMENT NO. [2017266401](#) OF OFFICIAL RECORDS.

[APN](#): Portions of 425-0280-005 and 425-0280-006



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: CONS 20-478

DATE: October 6, 2020

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT

Adopt a Resolution Approving a Final Map of Tract 8280 (Vagabond Estates) Subdividing Two Existing Parcels Totaling 1.27 Acres Located at 29265 Vagabond Lane into Eight (8) Lots; Applicant/Owner: Habib Asef, Application No. 201600359

RECOMMENDATION

That Council adopts a resolution (Attachment II) to approve Final Map for Tract 8280 (Attachment III), find it in substantial conformance with the approved Vesting Tentative Tract Map (Attachment IV) and authorize the City Manager to execute the Subdivision Agreement, related other documents and take appropriate administrative actions to effectuate the improvements required by the Conditions of Approval.

SUMMARY

The City's Planning Commission approved the Vesting Tentative Map of Vagabond Estates in a public meeting after considering comments from the public and public agencies. The Planning Commission also considered compliance with the Subdivision Map Act, the California Environmental Quality Act, Planned Development guidelines, the City Subdivision Ordinance, Zoning Code, Building Regulations, the Hayward General Plan, Specific & Neighborhood Plans, and the site-specific requirements of the Planning, Public Works, Fire, and Police Departments. The eight single-family homes proposed in Vagabond Estates will fulfill several goals and objectives of the City's General Plan by providing in-fill development close to existing transit bus route and a childcare facility, and by creating housing diversity. This action would approve the final map and improvement plans for the project.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Vicinity Map
Attachment IV	Site Map
Attachment V	Final Map



DATE: October 6, 2020

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Adopt a Resolution Approving a Final Map of Tract 8280 (Vagabond Estates) Subdividing Two Existing Parcels Totaling 1.27 Acres Located at 29265 Vagabond Lane Into Eight (8) Lots; Applicant/Owner: Habib Asef, Application No. 201600359

RECOMMENDATION

That Council adopts a resolution (Attachment II) to approve Final Map for Tract 8280 (Attachment III), find it in substantial conformance with the approved Vesting Tentative Tract Map (Attachment IV) and authorize the City Manager to execute the Subdivision Agreement, related other documents and take appropriate administrative actions to effectuate the improvements required by the Conditions of Approval.

SUMMARY

The City's Planning Commission approved the Vesting Tentative Map of Vagabond Estates in a public meeting after considering comments from the public and public agencies. The Planning Commission also considered compliance with the Subdivision Map Act, the California Environmental Quality Act, Planned Development guidelines, the City Subdivision Ordinance, Zoning Code, Building Regulations, the Hayward General Plan, Specific & Neighborhood Plans, and the site-specific requirements of the Planning, Public Works, Fire, and Police Departments. The eight single-family homes proposed in Vagabond Estates will fulfill several goals and objectives of the City's General Plan by providing in-fill development close to existing transit bus route and a childcare facility, and by creating housing diversity. This action would approve the final map and improvement plans for the project.

BACKGROUND

Tentative Map - Per State law, Tentative and Final maps are required for subdivision of real property into five or more parcels. A Vesting Tentative Map showing the proposed subdivision of the existing two parcels (APNs 465-0060-002-00 and 465-0060-003-00) at the end of Vagabond Lane into eight (8) parcels and preliminary plans and documents describing the proposed development was reviewed and approved by the City on November 9, 2017 subject to certain Conditions of Approval.

The City's Planning Commission approved the Vesting Tentative Map of Vagabond Estates in a public meeting after considering comments from the public and public agencies. The Planning Commission also considered compliance with the Subdivision Map Act, the California Environmental Quality Act, Planned Development guidelines, the City Subdivision Ordinance, Zoning Code, Building Regulations, the Hayward General Plan, Specific & Neighborhood Plans, and the site-specific requirements of the Planning, Public Works, Fire, and Police Departments. The eight single-family homes proposed in Vagabond Estates will fulfill several goals and objectives of the City's General Plan by providing in-fill development close to existing transit bus route and a childcare facility, and by creating housing diversity.

DISCUSSION

Final Map and Improvements Plans - After Tentative Map approval, the subdivider has submitted the Final Map and Improvement Plans. City Engineer's review has determined these documents to be in substantial compliance with the City approved tentative map, applicable City Standards and addressing the City's conditions of the map approval.

Improvement Agreement and Securities - The subdivider has requested the City's approval of the Final Map before all required improvements are completed as provided for in the State Subdivision Map Act Section 66462. The subdivider has agreed to execute an agreement with the City to complete the improvements required for the subdivision in a timely manner as per the improvement plans approved by the City Engineer and as stipulated in the Hayward Municipal Code Section 10-3.330 (a). Securities for the required improvements have been posted as per Hayward Municipal Code Section 10-3.332(a).

ENVIRONMENTAL REVIEW

The environmental review was completed when the Vesting Tentative Map was approved in 2017. There is no substantial change proposed in the Project or in its environmental setting, nor is there any new information, which would require additional environmental review.

ECONOMIC AND FISCAL IMPACT

The Final Map, by itself, will not have a fiscal or economic impact. The development created by approval of the final map will improve commerce, provide needed housing, and employ construction workers. Property tax revenues received by the City and several other local agencies will increase once the homes are constructed and occupied. The Final Map approval is consistent with the approved project.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of Preserve, Protect & Produce Housing. This item is not specifically related to a project identified in the Strategic Roadmap. Staff is bringing forth this new item because City Council is required to approve Final Maps based on the determination from the City Engineer that the Final Map is in substantial conformance with the previously approved Tentative Tract Map.

SUSTAINABILITY FEATURES

City Council has previously adopted the 2016 Edition of the California Building Standards of the California Code of Regulations, Title 24. This includes updated green building and energy efficiency standards for all new or renovated buildings as part of efforts to reach California's target of zero net energy (ZNE). The homes proposed in Vagabond Estates Tract 8280 would have four focal points for energy conservation as following:

- Increased insulation in walls, roofs, floors, attics, and windows.
- On-demand or "tankless" water heaters, which are approximately 30% more efficient than conventional storage tank water heaters
- High efficiency Heating and Cooling Systems (furnaces and air conditioners)
- All installed lighting fixtures will be either compact fluorescent or LED.

NEXT STEPS

If the City Council approves the Final Map, the applicant will have the Final Map recorded after executing the Subdivision Agreement. The applicant will be able to secure permits for new homes and/or sell the new lots. Occupancy permits for the new homes will be issued only after the required improvements are completed as per the plans approved by the City and a Home Owners Association is incorporated for the maintenance and repair of the new common use improvements within the subdivision. New improvements within the subdivision will include: extension of the city's sewer and water service to each new lot and fire hydrants; street extension with curb, gutter, sidewalk and street lights and stormwater treatment basin to be maintained by the Home Owners Association; and repair and resurfacing of existing pavement in Vagabond Lane. All utilities within the subdivision will be underground.

Prepared by: Mo Sharma, Interim Development Services Engineer
Sara Buizer, AICP, Planning Manager

Recommended by: Laura Simpson, AICP, Development Services Director

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-

Introduced by Council Member _

RESOLUTION APPROVING THE FINAL MAP OF TRACT 8280, ACCEPTING THE EASEMENTS DEDICATED THEREON FOR PUBLIC USE AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE SUBDIVISION AGREEMENT AND RELATED OTHER DOCUMENTS

WHEREAS, Vesting Tentative Tract Map No. 8280 for Vagabond Estates, was approved by the Planning Commission of the City of Hayward on November 9, 2017; and

WHEREAS, the Final Map for Tract 8280 has been presented to the City Council of the City of Hayward for development of 8 single-family homes located at 29265 Vagabond Lane; and

WHEREAS, the City Engineer has determined the map substantially complying with its Vesting Tentative Map and the City Surveyor has determined the map technically correct; and

WHEREAS, the City Engineer has also determined the Tract 8280 improvement plans acceptable and conforming to the City's Conditions of approval of the Vesting Tentative Map for Tract 8280; and

WHEREAS, Subdivider has requested the City Council approval of Tract Map 8280 before its required improvements are completed and has agreed to complete the same within the time limits specified in an agreement with the city and post securities required therefor.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward does hereby find that the Final Map for Tract 8280 is in substantial compliance with its approved Vesting Tentative Tract Map and does hereby approve the said Final Map and accepts on behalf of the public all easements dedicated for public use thereon, subject to the subdivider entering into a subdivision agreement for the completion of improvements and other obligations, as required by the conditions of approval of the Vesting Tentative Tract Map for Tract 8280, and that the approval of the Final Map for Tract 8280 shall not be effective until and unless such agreement is entered into.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to negotiate and execute, for and on behalf of the City of Hayward, a subdivision agreement in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

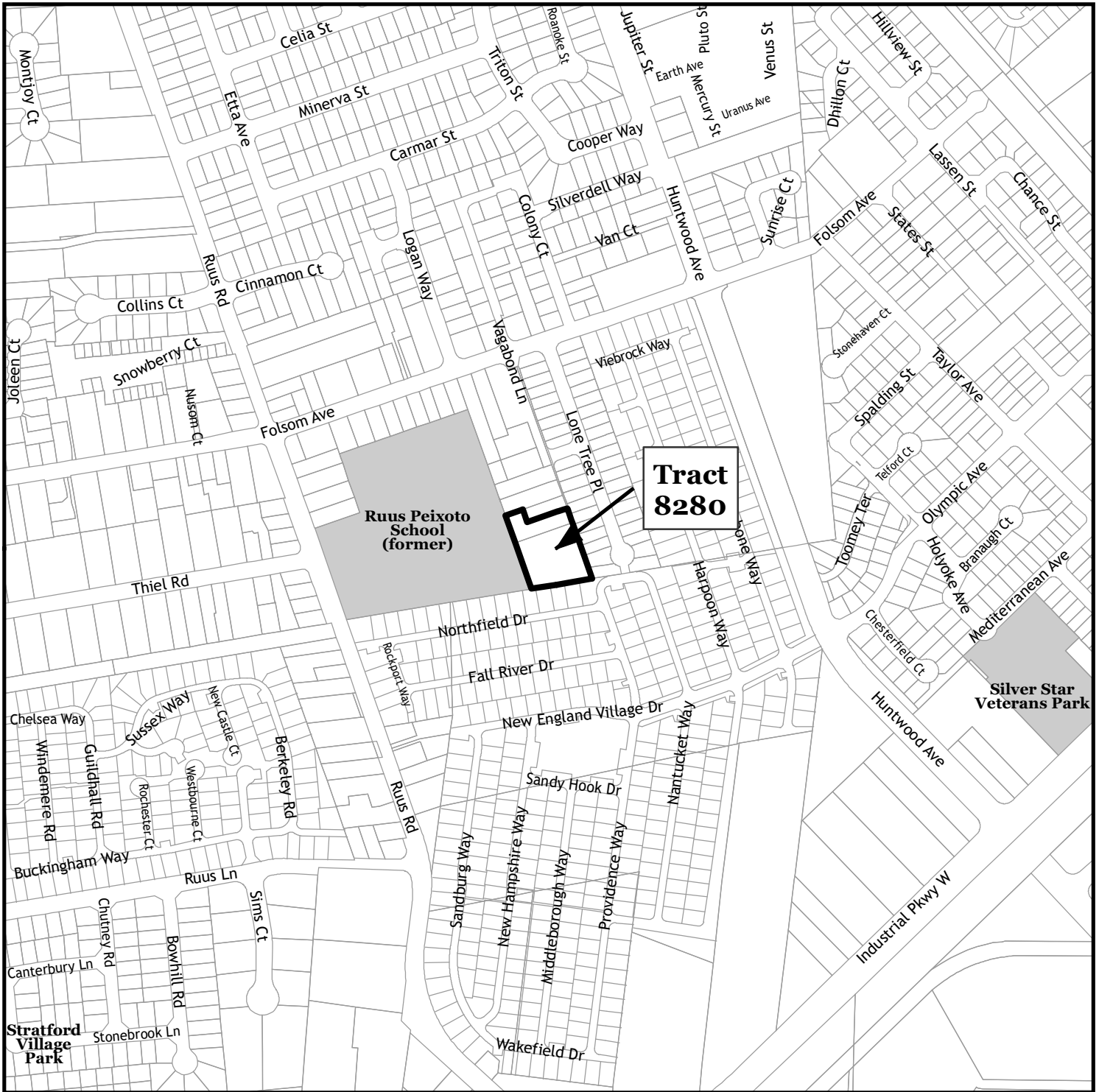
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

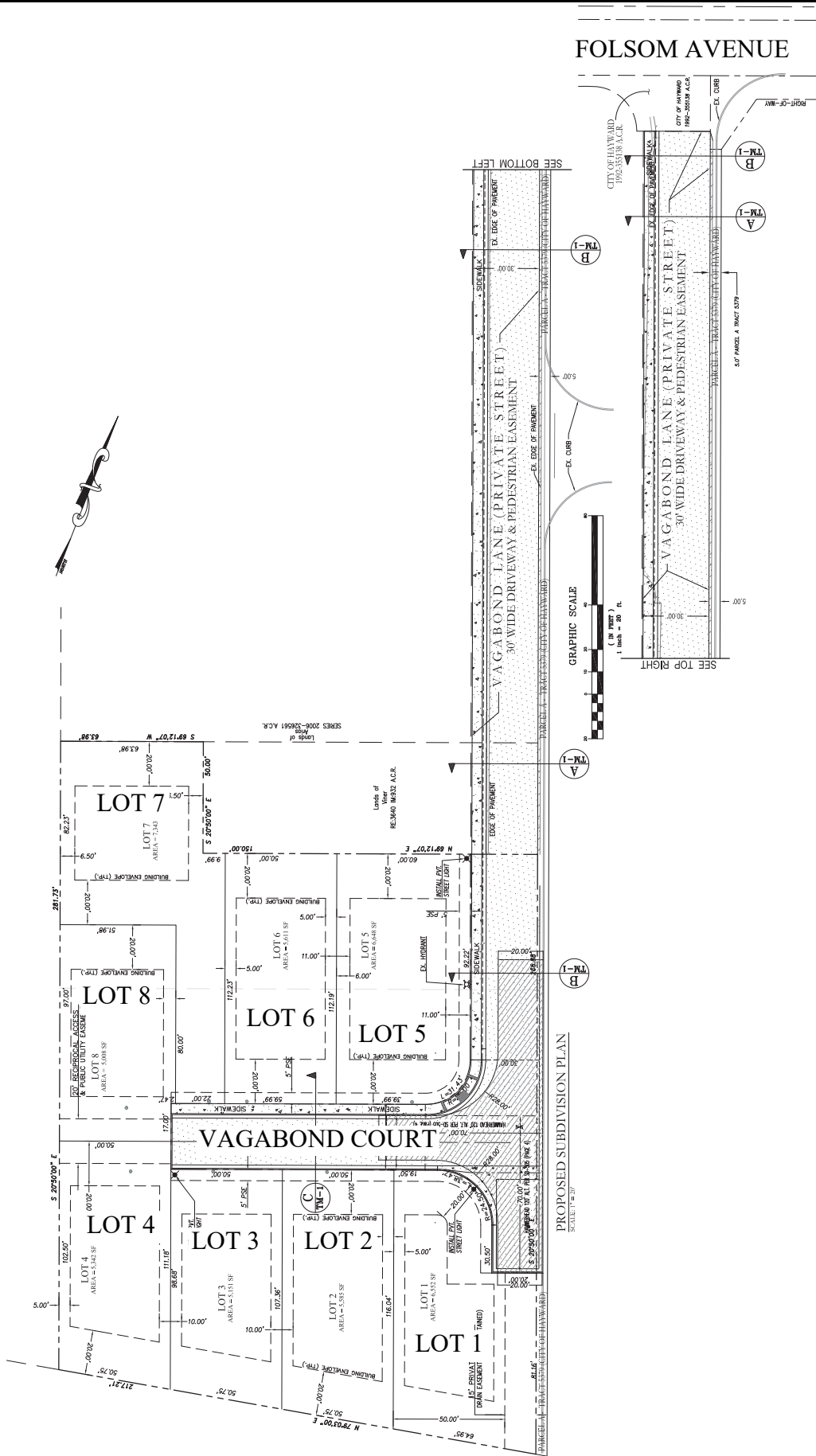


Approvals of Final Maps for Tract 8280





Site Map



OWNERS' STATEMENT

THE UNDERSIGNED, HEREBY REFERRED TO AS "OWNERS", DO HEREBY STATE THAT THEY ARE THE OWNERS OF THE LAND DELINEATED AND EMBRACED WITHIN THE EXTERIOR BOUNDARY LINES OF THE HEREIN EMBODIED FINAL MAP ENTITLED "TRACT 8280 - VAGABOND ESTATES, CITY OF HAYWARD, COUNTY OF ALAMEDA, CALIFORNIA", CONSISTING OF 4 SHEETS, THIS STATEMENT BEING ON SHEET ONE (1) THEREOF; THAT SAID OWNERS ACQUIRED TITLE TO SAID LAND BY VIRTUE OF THAT GRANT DEED RECORDED ON DECEMBER 2, 2015 AS INSTRUMENT NO. 2015-318100, OFFICIAL RECORDS OF ALAMEDA COUNTY, CALIFORNIA, AND THAT SAID OWNERS HAVE CAUSED SAID MAP TO BE PREPARED FOR RECORD AND THAT SAID OWNERS CONSENT TO THE PREPARATION AND FILING OF THIS MAP.

AND SAID OWNERS DO HEREBY DEDICATE TO THE PUBLIC FOREVER THE RIGHT TO CONSTRUCT, RECONSTRUCT AND MAINTAIN PUBLIC UTILITIES AND APPURTENANCES UNDER, ON AND OVER THE LANDS SHOWN UPON SAID MAP DESIGNATED AS "PUBLIC UTILITY EASEMENT" (PUE) AND THE RIGHT TO ENTER UPON SAID STRIPS OF LAND FOR THE PURPOSES OF CONSTRUCTION, MAINTAINING AND RECONSTRUCTING OR REPLACING SAID PUBLIC UTILITIES AND THEIR APPURTENANCES.

AND SAID OWNERS DO HEREBY DEDICATE TO THE PUBLIC FOREVER, EASEMENTS WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF WATER SYSTEMS FACILITIES INCLUDING WATER LINES AND APPURTENANCES UNDER, UPON AND OVER ANY AREA OR STRIP OF LAND DESIGNATED AS "WLE" (WATER LINE EASEMENT). MAINTENANCE OF SAID WATER SYSTEM FACILITIES, WATER LINES AND APPURTENANCES THERETO SHALL BE THE RESPONSIBILITY OF THE CITY OF HAYWARD.

AND SAID OWNERS DO HEREBY DEDICATE TO THE PUBLIC FOREVER, EASEMENTS WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF SANITARY SEWER SYSTEMS FACILITIES INCLUDING SEWER LINES AND APPURTENANCES UNDER, UPON AND OVER ANY AREA OR STRIP OF LAND DESIGNATED AS "SSE" (SANITARY SEWER EASEMENT). MAINTENANCE OF SAID SEWER SYSTEM FACILITIES, SEWER LINES AND APPURTENANCES THERETO SHALL BE THE RESPONSIBILITY OF THE CITY OF HAYWARD.

AND SAID OWNERS DO HEREBY DEDICATE TO THE CITY OF HAYWARD EASEMENTS FOR EMERGENCY VEHICLE ACCESS ON AND OVER THE LANDS SHOWN UPON SAID MAP AS "EVAE" (EMERGENCY VEHICLE ACCESS EASEMENT), SAID EASEMENT SHALL BE MAINTAINED IN A SAFE AND USABLE CONDITION BY THE HOMEOWNERS ASSOCIATION OF THIS SUBDIVISION.

THE AREAS DESIGNATED AS "PSDE" (PRIVATE STORM DRAIN EASEMENT) ARE FOR THE PURPOSES OF INSTALLATION AND MAINTENANCE OF PRIVATE DRAINAGE FACILITIES AND THEIR APPURTENANCES. SAID EASEMENTS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION OF THE SUBDIVISION AND SAID EASEMENTS ARE NOT OFFERED FOR DEDICATION TO THE PUBLIC.

AND THE REAL PROPERTY DESIGNATED AS "LOT A" IS A PRIVATE STREET AND IS NOT OFFERED FOR DEDICATION, SAID LOT SHALL BE CONVEYED TO THE HOMEOWNERS ASSOCIATION BY A SEPARATE DOCUMENT SUBSEQUENT TO THE FILING OF THIS MAP; MAINTENANCE OF SAID LOT SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION, IN ACCORDANCE WITH THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&RS) THAT GOVERN THIS SUBDIVISION, TRACT 8280.

AND THE REAL PROPERTY DESIGNATED AS "LOT B" IS A PRIVATE STORM DRAIN EASEMENT AND IS NOT OFFERED FOR DEDICATION, SAID LOT SHALL BE CONVEYED TO THE HOMEOWNERS ASSOCIATION BY A SEPARATE DOCUMENT SUBSEQUENT TO THE FILING OF THIS MAP; MAINTENANCE OF SAID LOT SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION, IN ACCORDANCE WITH THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&RS) THAT GOVERN THIS SUBDIVISION, TRACT 8280.

WE ALSO HEREBY DECLARE THAT THE STRIPS OF LAND DESIGNATED AS "RAE" (RECIPROCAL ACCESS EASEMENT) ARE RESERVED FOR THE PURPOSE OF ACCESS, INSTALLATION AND MAINTENANCE OF PRIVATE DRAINAGE, LANDSCAPE AND IRRIGATION FACILITIES AND RECREATIONAL USES OF SAID AREA AND APPURTENANCES THERETO BY ADJACENT BENEFITTING LOT OWNER(S) AS SPECIFIED BY THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS; SAID EASEMENTS ARE NOT OFFERED NOR ARE THEY ACCEPTED AS DEDICATION BY THE CITY OF HAYWARD.

THE REAL PROPERTY DESCRIBED HEREIN IS ALSO SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS GOVERNING TRACT 8280 RECORDED CONCURRENTLY HERewith THIS _____ DAY OF _____, 20____ AS RECORDER'S SERIES NO. _____ OFFICIAL RECORDS OF ALAMEDA COUNTY.

THIS MAP SHOWS OR NOTES ALL EASEMENTS OF RECORD.

IN WITNESS WHEREOF, THE UNDERSIGNED HAS CAUSED THIS STATEMENT AND THESE DEDICATIONS TO BE EXECUTED THIS _____ DAY OF _____, 20_____.

AS OWNERS

BY: _____ DATE _____

BY: _____ DATE _____

OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA JSS
COUNTY OF ALAMEDA JSS

ON _____, BEFORE ME, _____ A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND _____

NOTARY'S SIGNATURE _____

PRINTED NOTARY'S NAME _____

NOTARY'S PRINCIPAL PLACE OF BUSINESS _____

EXPIRATION OF NOTARY'S COMMISSION _____

NOTARY'S COMMISSION NUMBER _____

TRACT 8280 - VAGABOND ESTATES
AN EIGHT LOT SUBDIVISION, CONSISTING OF FOUR SHEETS
BEING A SUBDIVISION OF THE LANDS OF ASEF M.AND GULNAR HABIB LIVING TRUST AS DESCRIBED IN IN SERIES 2015-318100 RECORDED DECEMBER 2, 2015 IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY

CITY OF HAYWARD
COUNTY OF ALAMEDA, STATE OF CALIFORNIA



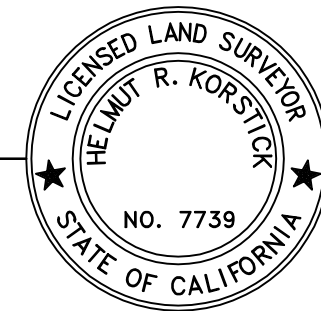
SAN RAMON, CALIFORNIA
JULY 2019

CERTIFICATE SHEET 1

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF ASEF AND JAMILA HABIB IN DECEMBER 2017. I HEREBY STATE THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER 31 2021; THAT MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

HELMUT R. KORSTICK, LS 7739 DATE _____



COUNTY RECORDERS STATEMENT

FILED FOR RECORD THIS _____ DAY OF _____, 20____, AT _____ IN BOOK _____ OF MAPS AT PAGES _____, AT THE REQUEST OF _____ TITLE COMPANY.

MELISSA WILK
COUNTY RECORDER IN AND FOR THE
COUNTY OF ALAMEDA, STATE OF CALIFORNIA

CITY ENGINEER'S STATEMENT

I, ALEX AMERI, ~~INTERIM~~ CITY ENGINEER OF THE CITY OF HAYWARD, DO HEREBY STATE THAT THE HEREIN EMBODIED FINAL MAP ENTITLED "TRACT 8280 - VAGABOND ESTATES", CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA, CONSISTING OF 4 SHEETS, THIS STATEMENT BEING ON SHEET TWO(2) THEREOF; HAS BEEN EXAMINED AND THAT THE SUBDIVISION, AS SHOWN UPON SAID MAP IS SUBSTANTIALLY THE SAME AS SAID SUBDIVISION APPEARED ON THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP AND ANY APPROVED AMENDMENTS THEREOF; AND THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND AMENDMENTS THERETO, AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND THIS _____ DAY OF _____, 20____.



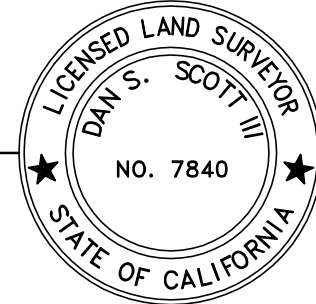
ALEX AMERI, RCE NO. 40155
~~INTERIM~~ CITY ENGINEER,
CITY OF HAYWARD, COUNTY OF ALAMEDA,
STATE OF CALIFORNIA

CITY SURVEYOR'S STATEMENT

I DAN S. SCOTT III, CITY SURVEYOR, HAVING BEEN AUTHORIZED TO PERFORM THE FUNCTIONS OF THE CITY SURVEYOR OF THE CITY OF HAYWARD, COUNTY OF ALAMEDA, STATE OF CALIFORNIA DO HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREIN EMBODIED FINAL MAP ENTITLED "TRACT 8280 VAGABOND ESTATES, CITY OF HAYWARD, COUNTY OF ALAMEDA, STATE OF CALIFORNIA";

I AM SATISFIED THAT THE SURVEY DATA SHOWN THEREON IS TECHNICALLY CORRECT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 20____.



DAN S. SCOTT III, PLS NO. 7840
CITY SURVEYOR,
CITY OF HAYWARD, COUNTY OF ALAMEDA,
STATE OF CALIFORNIA

SOIL / GEOTECHNICAL REPORT NOTE

A SOILS REPORT WAS PREPARED BY O'TERRA GEOTECH GROUP, INC., DATED SEPTEMBER 10, 2018, AND SIGNED BY REZA BARADARAN, P.E. AND IS ON FILE AT THE OFFICE OF THE CITY ENGINEER.

CITY CLERK'S STATEMENT

I, MIRIAM LENS, CITY CLERK AND CLERK OF THE COUNCIL OF CITY OF HAYWARD, ALAMEDA COUNTY, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE HEREIN EMBODIED FINAL MAP ENTITLED "TRACT NO. 8280 - VAGABOND ESTATES" CONSISTING OF FOUR(4) SHEETS, THIS STATEMENT BEING ON SHEET TWO (2) THEREOF, WAS PRESENTED TO SAID COUNCIL, AS PROVIDED BY LAW, AT A REGULAR MEETING HELD AT THIS _____ DAY OF _____, 20____ AND THAT SAID COUNCIL THEREUPON, BY RESOLUTION NUMBER _____, PASSED AND ADOPTED AT SAID MEETING, APPROVED SAID MAP AND ACCEPTED ON BEHALF OF THE PUBLIC THE EASEMENTS OFFERED FOR DEDICATION AS "PUE" (PUBLIC UTILITY EASEMENT), "EVAE" (EMERGENCY VEHICLE ACCESS EASEMENT), "SSE" (SANITARY SEWER EASEMENT) AND "WLE" (WATER LINE EASEMENT).

IN WITNESS HEREOF, I HEREUNTO SET MY HAND THIS _____ DAY OF _____, 20____.

MIRIAM LENS, CITY CLERK AND
CLERK OF THE COUNCIL OF CITY OF HAYWARD
ALAMEDA COUNTY, STATE OF CALIFORNIA

CLERK OF BOARD OF SUPERVISOR'S STATEMENT

STATE OF CALIFORNIA)
COUNTY OF ALAMEDA) SS.

I, ANIKA CAMPBELL - BELTON, CLERK OF BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY CERTIFY, AS CHECKED BELOW THAT:

- [] AN APPROVED BOND HAS BEEN FILLED WITH THE SUPERVISORS OF THE SAID COUNTY AND STATE IN THE AMOUNT OF \$ _____, CONDITIONED FOR PAYMENT OF ALL TAXES, WHICH ARE NOW LIEN AGAINST SAID LAND OR ANY PART THEREOF BUT NOT YET PAYABLE AND WAS DULY APPROVED BY SAID BOARD IN SAID AMOUNT.
- [] ALL TAXES AND SPECIAL ASSESMENTS COLLECTED AS TAXES HAVE BEEN PAID. AS CERTIFIED BY THE TREASURER-TAX COLLECTOR OF THE COUNTY OF ALAMEDA.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 20____.

ANIKA CAMPBELL-BELTON
CLERK OF THE BOARD OF SUPERVISOR'S
COUNTY OF ALAMEDA, STATE OF CALIFORNIA

BY: _____
DEPUTY CLERK

TRACT 8280 - VAGABOND ESTATES
AN EIGHT LOT SUBDIVISION, CONSISTING OF FOUR SHEETS
BEING A SUBDIVISION OF THE LANDS OF ASEF M.AND GULNAR
HABIB LIVING TRUST AS DESCRIBED IN IN SERIES 2015-318100
RECORDED DECEMBER 2, 2015 IN THE OFFICE OF THE
COUNTY RECORDER OF ALAMEDA COUNTY

CITY OF HAYWARD
COUNTY OF ALAMEDA, STATE OF CALIFORNIA



SAN RAMON, CALIFORNIA
JULY 2019

CERTIFICATE SHEET 2

TRACT 8280 - VAGABOND ESTATES
AN EIGHT LOT SUBDIVISION, CONSISTING OF FOUR SHEETS

BEING A SUBDIVISION OF THE LANDS OF ASEF M. AND GULNAR HABIB LIVING TRUST AS DESCRIBED IN SERIES 2015-318100
 RECORDED DECEMBER 2, 2015 IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY

CITY OF HAYWARD
 COUNTY OF ALAMEDA, STATE OF CALIFORNIA



SAN RAMON, CALIFORNIA
 JULY 2019

BOUNDARY SHEET

LEGEND

- FOUND MONUMENT, AS NOTED
- ⊙ SET BRASS DISK IN WELL MON LS 7739
- DISTINCTIVE BORDER LINE/BOUNDARY
- CENTER LINE
- PEDESTRIAN AND DRIVEWAY EASEMENT
- ADJOINER LINES
- MONUMENT LINE
- SURVEY MEASURED TIE

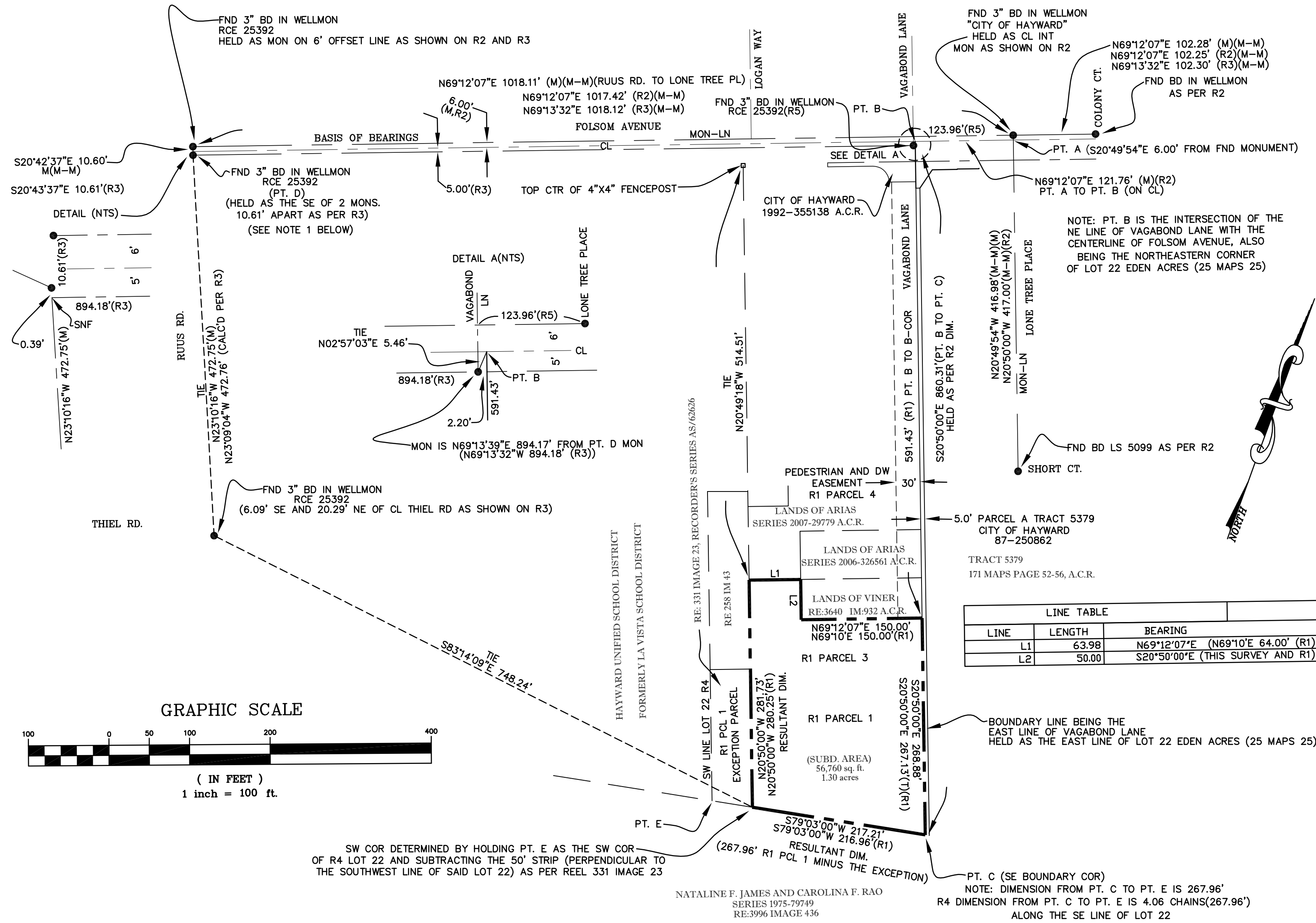
ABBREVIATIONS

- A.C.R. ALAMEDA COUNTY RECORDS
- B-COR BOUNDARY CORNER
- BD BRASS DISK
- CL CENTERLINE
- CTR CENTER
- DIM. DIMENSION
- DW DRIVEWAY
- FND FOUND
- INT INTERSECTION
- IP IRON PIPE
- (M) MEASURED VALUE
- (M-M) MONUMENT TO MONUMENT
- MON MONUMENT
- NT NO TAG
- NE NORTHEAST
- NW NORTHWEST
- PCL PARCEL
- (R#) RECORD REFERENCE DOCUMENT
- SE SOUTHEAST
- SF SQUARE FEET
- SNF SEARCHED NOTHING FOUND
- SW SOUTHWEST
- (T) TOTAL

REFERENCES

- (R1) SUBJECT PARCEL DEED (SERIES 2015-318100 A.C.R.)
- (R2) MAP OF TRACT 5379, BOOK 171 OF MAPS AT PAGES 52-56, A.C.R.
- (R3) RECORD OF SURVEY BOOK 20 OF MAPS AT PAGES 38-39, A.C.R.
- (R4) MAP OF EDEN ACRES 25 MAPS 25
- (R5) PARCEL MAP 61.32 205 PM 33

NOTE 1: R3 SHOWS 2 MONUMENTS 0.39' APART (DETAIL A COURSE 2 AS SHOWN ON SAID R3). IT IS THE OPINION OF THIS SURVEY THAT THE MON. SHOWN AT THE SE END OF COURSE 2 DETAIL A ON R3 IS AN ERROR. MEASUREMENTS CONFIRM THAT THE MON. AT THE NW END OF SAID COURSE 2 WAS SET. THE DISTANCE OF 462.41' ON R3 IS FROM THE RAILROAD SPIKE TO THE SE END OF SAID COURSE 2.



TRACT 8280 - VAGABOND ESTATES
 AN EIGHT LOT SUBDIVISION, CONSISTING OF FOUR SHEETS
 BEING A SUBDIVISION OF THE LANDS OF ASEF M. AND GULNAR
 HABIB LIVING TRUST AS DESCRIBED IN SERIES 2015-318100
 RECORDED DECEMBER 2, 2015 IN THE OFFICE OF THE
 COUNTY RECORDER OF ALAMEDA COUNTY

CITY OF HAYWARD
 COUNTY OF ALAMEDA, STATE OF CALIFORNIA



SAN RAMON, CALIFORNIA
 JULY 2019

SUBDIVISION SHEET

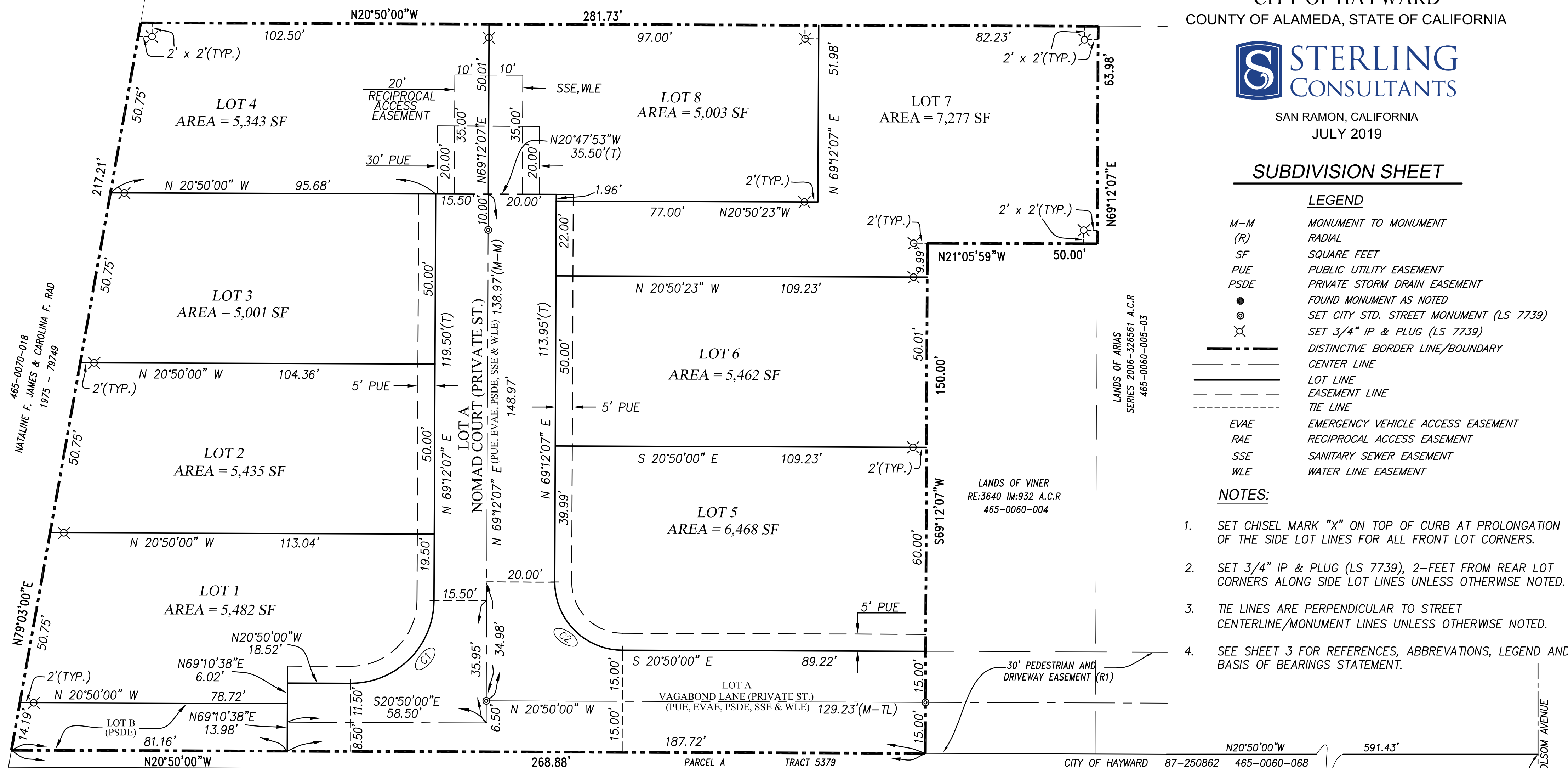
LEGEND

- M-M MONUMENT TO MONUMENT
- (R) RADIAL
- SF SQUARE FEET
- PUE PUBLIC UTILITY EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- FOUND MONUMENT AS NOTED
- ⊙ SET CITY STD. STREET MONUMENT (LS 7739)
- ⊗ SET 3/4" IP & PLUG (LS 7739)
- DISTINCTIVE BORDER LINE/BOUNDARY
- CENTER LINE
- LOT LINE
- EASEMENT LINE
- TIE LINE
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- RAE RECIPROCAL ACCESS EASEMENT
- SSE SANITARY SEWER EASEMENT
- WLE WATER LINE EASEMENT

NOTES:

1. SET CHISEL MARK "X" ON TOP OF CURB AT PROLONGATION OF THE SIDE LOT LINES FOR ALL FRONT LOT CORNERS.
2. SET 3/4" IP & PLUG (LS 7739), 2-FEET FROM REAR LOT CORNERS ALONG SIDE LOT LINES UNLESS OTHERWISE NOTED.
3. TIE LINES ARE PERPENDICULAR TO STREET CENTERLINE/MONUMENT LINES UNLESS OTHERWISE NOTED.
4. SEE SHEET 3 FOR REFERENCES, ABBREVIATIONS, LEGEND AND BASIS OF BEARINGS STATEMENT.

HAYWARD UNIFIED SCHOOL DISTRICT
 FORMERLY LA VISTA SCHOOL DISTRICT
 465-0060-025



CURVE TABLE

NO.	RADIUS	DELTA	LENGTH
(C1)	24.50'	89°57'53"	38.47'
(C2)	20.00'	90°02'07"	31.43'

TRACT 5379
 171 M 52

GRAPHIC SCALE



(IN FEET)
 1 inch = 20 ft.



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: CONS 20-479

DATE: October 6, 2020

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT

Adopt a Resolution Approving a Final Map of Tract 8518, Stonebrae Clubhouse Villas, Subdividing a 20-Acre Site Into Ten (10) Lots For Single-Family Homes, One Common Use Lot For The Ten Lots And Two Large Remainder Lots, Including Portions of Existing Driving Range And Open Space And Authorize the City Manager to Execute a Subdivision Agreement. Tract 8518 is the Planned and Phased Development of The Country Club Complex Approved in The Blue Rock Country Club (Stonebrae) Vesting Tentative Tract Map 5354 - Applicant/Owner - Stonebrae L.P.

That Council adopts a resolution (Attachment II) to approve the Final Map for Tract 8518 and find it in substantial conformance with the approved Vesting Tentative Tract Map 5354 and, authorize the City Manager to execute a Subdivision Agreement and such other documents and take administrative actions to effectuate the required improvements in compliance with the tract Conditions of Approval.

SUMMARY

Clubhouse Villas Tract 8518 would subdivide an existing lot shown on the Vesting Tentative Map 5354 into ten lots for development of single-family homes on Navan Lane, one lot for utilities, landscaping, and other common uses for the ten lots, and two remainder lots for the driving range and open space along Walpert Ridge. The City's approval of the Tentative Tract Map came after the determination that the proposed development would comply with the California Environmental Quality Act and the City's Planned Development guidelines, Subdivision Ordinance, Zoning Ordinance, General Plan and Specific/Neighborhood Plans, and the site-specific requirements of the Planning, Public Works, Fire, and Police Departments. This action would approve the Final Map for the Tract.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Vicinity Map
Attachment IV	Site Map
Attachment V	Final Map



DATE: October 6, 2020

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Adopt a Resolution Approving a Final Map of Tract 8518, Stonebrae Clubhouse Villas, Subdividing a 20-Acre Site Into Ten (10) Lots For Single-Family Homes, One Common Use Lot For The Ten Lots And Two Large Remainder Lots, Including Portions of Existing Driving Range And Open Space And Authorize the City Manager to Execute a Subdivision Agreement. Tract 8518 is the Planned And Phased Development of The Country Club Complex Approved in The Blue Rock Country Club (Stonebrae) Vesting Tentative Tract Map 5354 – Applicant/Owner - Stonebrae L.P.

RECOMMENDATION

That Council adopts a resolution (Attachment II) to approve the Final Map for Tract 8518 and find it in substantial conformance with the approved Vesting Tentative Tract Map 5354 and, authorize the City Manager to execute a Subdivision Agreement and such other documents and take administrative actions to effectuate the required improvements in compliance with the tract Conditions of Approval.

SUMMARY

Clubhouse Villas Tract 8518 would subdivide an existing lot shown on the Vesting Tentative Map 5354 into ten lots for development of single-family homes on Navan Lane, one lot for utilities, landscaping, and other common uses for the ten lots, and two remainder lots for the driving range and open space along Walpert Ridge. The City's approval of the Tentative Tract Map came after the determination that the proposed development would comply with the California Environmental Quality Act and the City's Planned Development guidelines, Subdivision Ordinance, Zoning Ordinance, General Plan and Specific/Neighborhood Plans, and the site-specific requirements of the Planning, Public Works, Fire, and Police Departments. This action would approve the Final Map for the Tract.

BACKGROUND

Vesting Tentative Map – Vesting Tentative Tract Map 5354 for the phased development of the residential community and its Country Club complex entitles the subdivider to file multiple Final Maps through May 22, 2022. Clubhouse Villas Tract 8518 would subdivide an existing lot shown on the Vesting Tentative Map 5354 into ten lots for development of single-family

homes on Navan Lane, one lot for utilities, landscaping, and other common uses for the ten lots, and two remainder lots for the driving range and open space along Walpert Ridge. The City's approval of the Tentative Tract Map came after the determination that the proposed development would comply with the California Environmental Quality Act and the City's Planned Development guidelines, Subdivision Ordinance, Zoning Ordinance, General Plan and Specific/Neighborhood Plans, and the site-specific requirements of the Planning, Public Works, Fire, and Police Departments.

DISCUSSION

Final Map & Improvements Plans – The City Engineer determined that the Final Map and its related improvements are consistent with the Vesting Tentative Tract Map approved for the project. The limited grading required to achieve the new lot configurations is contained within the previously defined project development envelope. Cut and fill will be balanced within the development site.

Subdivision Agreement – The subdivider has requested the City's approval of the Final Map before all required improvements are completed as provided for in the State Subdivision Map Act Section 66462. The subdivider has agreed to execute an agreement with the City to complete the improvements required for the subdivision in a timely manner as per the improvement plans approved by the City Engineer and as stipulated in the Hayward Municipal Code Section 10-3.330 (a). Securities for the required improvements have been posted as per the Hayward Municipal Code Section 10-3.332(a).

ENVIRONMENTAL REVIEW

The environmental review was completed when the Vesting Tentative Map was approved. There is no substantial change proposed in the Project or in its environmental setting, nor is there any new information, which would require additional environmental review.

ECONOMIC AND FISCAL IMPACT

The Final Map approval is consistent with the approved project and the Final Map, by itself, will not have a fiscal or economic impact. The development created by approval of the final map will improve commerce, provide needed higher-end housing and employ construction workers. There will also be an increase to the property tax revenues received by the City once the homes are constructed and occupied.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of Preserve, Protect & Produce Housing. This item is not specifically related to a project identified in the Strategic Roadmap. Staff is bringing forth this new item because City Council is required to approve Final Maps based on the determination from the City Engineer that the Final Map is in substantial conformance with the previously approved Tentative Tract Map.

SUSTAINABILITY FEATURES

City Council has previously adopted the 2016 Edition of the California Building Standards of the California Code of Regulations, Title 24. This includes updated green building and energy efficiency standards for all new or renovated buildings as part of efforts to reach California's target of zero net energy (ZNE). The homes proposed in Vagabond Estates Tract 8280 would have four focal points for energy conservation as following:

- Increased insulation in walls, roofs, floors, attics and windows.
- On-demand or "tankless" water heaters, which are approximately 30% more efficient than conventional storage tank water heaters
- High efficiency Heating and Cooling Systems (furnaces and air conditioners)
- All installed lighting fixtures will be either compact fluorescent or LED.

NEXT STEPS

If the City Council approves the Final Map, the applicant will have the Final Map recorded after executing the Subdivision Agreement. The applicant will be able to secure permits for new homes and/or sell the new lots. Occupancy permits for the new homes will be issued only after the required improvements are completed as per the plans approved by the City and a Home Owners Association is incorporated for the maintenance and repair of the new common use improvements within the subdivision. New improvements within the subdivision will include: extension of the city's sewer and water service to each new lot and fire hydrants; street extension with curb, gutter, sidewalk and street lights and stormwater treatment basin to be maintained by the Home Owners Association; and repair and resurfacing of existing pavement. All utilities within the subdivision will be underground.

Prepared by: Mo Sharma, Interim Development Service Engineer
Sara Buizer, Planning Manager

Recommended by: Laura Simpson, Development Services Director

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-

Introduced by Council Member _____

RESOLUTION APPROVING FINAL MAP FOR TRACT 8518 AND
AUTHORIZING THE CITY MANAGER TO EXECUTE A SUBDIVISION
AGREEMENT

WHEREAS, the Final Map for Tract 8518 has been presented to the City Council of the City of Hayward for development of 10 single-family homes located on Navan Lane and three additional lots between the Clubhouse and the southern end of Village C of the Country Club complex; and

WHEREAS, the City Engineer has determined the map substantially complying with its Vesting Tentative Map 5354, the Subdivision Map Act and the City of Hayward regulations and the City Surveyor has determined the map technically correct; and

WHEREAS, the City Engineer has also determined the Tract 8518 improvement plans acceptable and conforming to the City's Conditions of approval of the Vesting Tentative Map for Tract 5354; and

WHEREAS, Subdivider has requested the City Council approval of Tract Map 8518 before its required improvements are completed and has agreed to complete the same within the time limits specified in an agreement with the city and post securities required therefor.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward does hereby find that the Final Map for Tract 8518 is in substantial compliance with its approved Vesting Tentative Tract Map and does hereby approve the said Final Map and accepts on behalf of the public all easements dedicated for public use thereon, subject to the subdivider entering into a subdivision agreement for the completion of improvements and other obligations, as required by the conditions of approval of the Vesting Tentative Tract Map for Tract 8518, and that the approval of the Final Map for Tract 8518 shall not be effective until and unless such agreement is entered into.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to negotiate and execute, for and on behalf of the City of Hayward, a subdivision agreement in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

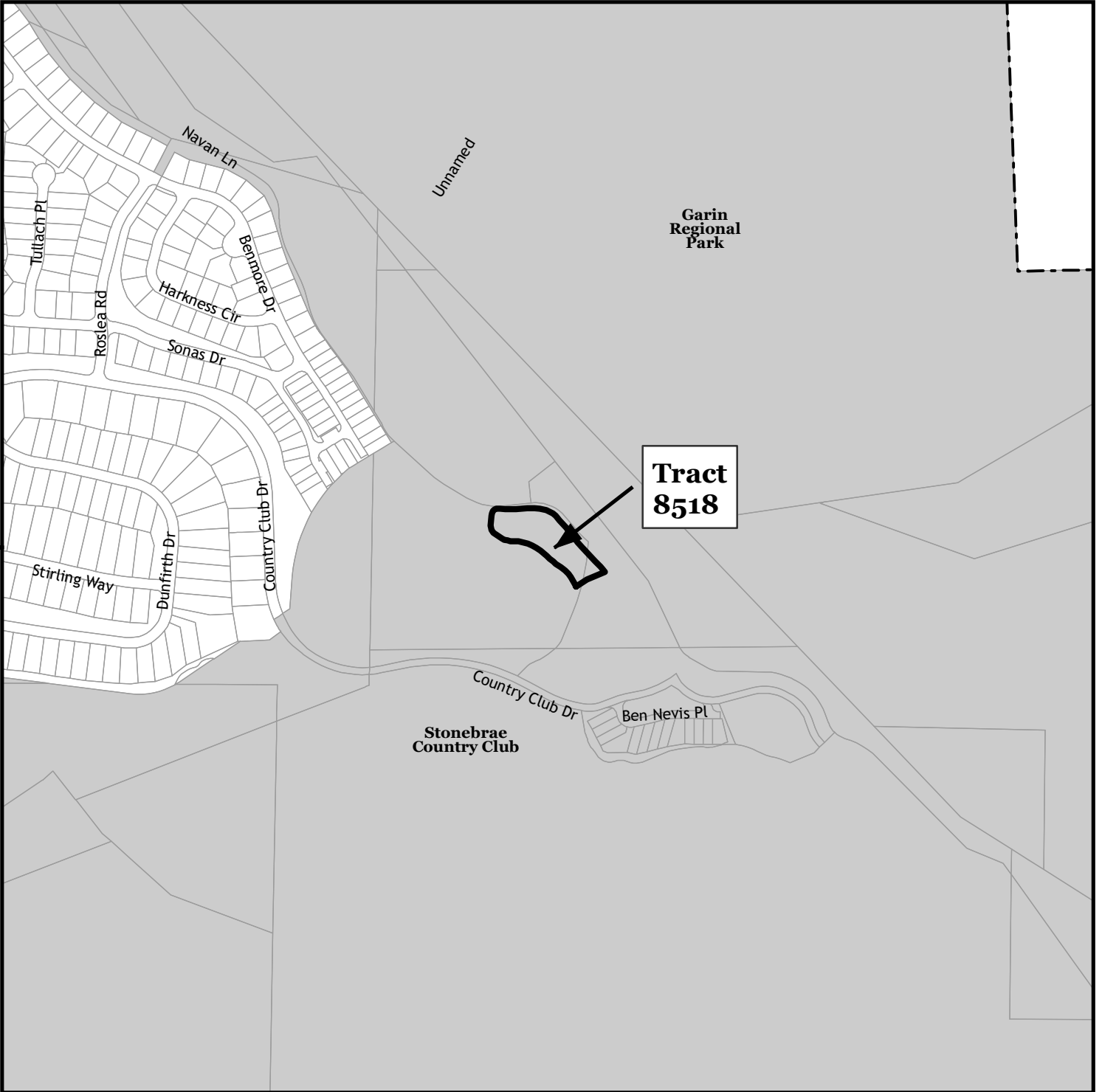
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



Approvals of Final Maps for Tract 8518



OWNER'S STATEMENT

THE UNDERSIGNED DOES HEREBY STATE THAT IT IS THE OWNER OF ALL THE LANDS DELINEATED AND EMBRACED WITHIN THE EXTERIOR BOUNDARY OF THIS SUBDIVISION ENTITLED, "TRACT 8518", CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA, CONSISTING OF SEVEN (7) SHEETS, THIS STATEMENT BEING UPON SHEET ONE (1) THEREOF; THAT SAID UNDERSIGNED ACQUIRED TITLE TO SAID LAND BY VIRTUE OF THAT GRANT DEED RECORDED JULY 6, 2005 AS INSTRUMENT NO. 2005-280078, OFFICIAL RECORDS OF SAID COUNTY, AND THAT SAID UNDERSIGNED HAS CAUSED SAID MAP TO BE PREPARED FOR RECORD AND CONSENTS TO THE PREPARATION AND RECORDATION OF SAID MAP; THAT SAID MAP PARTICULARLY SETS FORTH AND DESCRIBES ALL LOTS INTENDED FOR SALE BY THEIR NUMBER AND PRECISE WIDTH AND LENGTH; AND THAT SAID MAP PARTICULARLY SETS FORTH AND DESCRIBES THE PARCELS RESERVED FOR PUBLIC PURPOSES BY THEIR BOUNDARIES, COURSES, AND EXTENT.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES: THE AREAS DESIGNATED AS "PAE" (PUBLIC ACCESS EASEMENT) FOR THE PURPOSES OF INGRESS AND EGRESS OVER THE PRIVATE STREETS WITHIN THE EXTERIOR BOUNDARY OF THIS SUBDIVISION.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED TO THE CITY OF HAYWARD AS AN EASEMENT FOR PUBLIC PURPOSES: EASEMENTS WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF INSTALLATION, CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES, APPLICABLE STRUCTURES AND APPURTENANCES UNDER, UPON AND OVER ANY AREA OR STRIP OF LAND DESIGNATED AS "PSE" (PUBLIC SERVICE EASEMENT), AS DELINEATED WITHIN THE EXTERIOR BOUNDARY OF THIS SUBDIVISION; SAID AREAS OR STRIPS OF LAND ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS OR STRUCTURES OF ANY KIND, EXCEPT APPLICABLE UTILITY STRUCTURES AND APPURTENANCES, IRRIGATION SYSTEMS AND APPURTENANCES, AND LAWFUL FENCES.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES: AN EASEMENT FOR INGRESS AND EGRESS OF EMERGENCY VEHICLES OVER, UPON AND ACROSS THOSE FULL WIDTH STRIPS OF LAND DESIGNATED AS "EVAE" (EMERGENCY VEHICLE ACCESS EASEMENT).

THE REAL PROPERTY DESCRIBED AS "NAVAN LANE" ARE RESERVED BY STONEBRAE L.P., A DELAWARE LIMITED PARTNERSHIP, FOR CONVEYANCE TO THE STONEBRAE HOMEOWNERS ASSOCIATION FOR PRIVATE STREET PURPOSES.

THE REAL PROPERTY DESIGNATED AS "PSDE" (PRIVATE STORM DRAIN EASEMENT) ARE RESERVED BY THE OWNER FOR THE PURPOSES OF INSTALLATION, CONSTRUCTION AND MAINTENANCE INCLUDING THE RIGHT OF INGRESS AND EGRESS OF PRIVATE STORM DRAINS, APPLICABLE STRUCTURES AND APPURTENANCES THERETO.

THE REAL PROPERTY DESIGNATED AS "PSSE" (PRIVATE SANITARY SEWER EASEMENT) ARE RESERVED BY THE OWNER FOR THE PURPOSES OF INSTALLATION, CONSTRUCTION AND MAINTENANCE INCLUDING THE RIGHT OF INGRESS AND EGRESS OF PRIVATE SANITARY SEWERS, APPLICABLE STRUCTURES AND APPURTENANCES THERETO.

THE AREAS DESIGNATED AS "PPPE" (PRIVATE PEDESTRIAN PATH EASEMENT) ARE FOR THE RIGHT OF PEDESTRIAN INGRESS AND EGRESS. MAINTENANCE OF THESE AREAS WILL BE THE RESPONSIBILITY OF THE STONEBRAE HOMEOWNERS ASSOCIATION.

THE AREAS DESIGNATED AS "LE" (LANDSCAPE EASEMENT) ARE FOR THE RIGHT OF INGRESS AND EGRESS FOR THE CONSTRUCTION AND MAINTENANCE OF LANDSCAPE IMPROVEMENTS. MAINTENANCE OF THESE AREAS WILL BE THE RESPONSIBILITY OF THE STONEBRAE HOMEOWNERS ASSOCIATION.

THE REAL PROPERTY DESCRIBED AS "LOT A" IS RESERVED BY STONEBRAE L.P., A DELAWARE LIMITED PARTNERSHIP, FOR CONVEYANCE TO THE STONEBRAE HOMEOWNERS ASSOCIATION.

THE REAL PROPERTY DESCRIBED AS "LOT B" AND "LOT C" ARE RESERVED BY STONEBRAE L.P., A DELAWARE LIMITED PARTNERSHIP, FOR GOLF COURSE FACILITIES, TENNIS FACILITIES, OPEN SPACE, AND/OR LANDSCAPE PURPOSES.

THIS MAP SHOWS ALL EASEMENTS ON THE PREMISES, OR OF RECORD, UNLESS OTHERWISE NOTED.

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THESE STATEMENTS, DECLARATIONS, AND DEDICATIONS TO BE EXECUTED ON THE _____ DAY OF _____, 2020.

OWNER: STONEBRAE L.P., A DELAWARE LIMITED PARTNERSHIP
BY YCS NEVADA, INCORPORATED, A NEVADA CORPORATION, DBA
STONEBRAE YCS, INC., ITS GENERAL PARTNER

BY: _____
PAUL W. YUEN, AUTHORIZED REPRESENTATIVE

BY: _____
MICHAEL J. LETCHINGER, AUTHORIZED REPRESENTATIVE

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF _____)
COUNTY OF _____) SS

ON _____, 2020, BEFORE ME, _____
A NOTARY PUBLIC, PERSONALLY APPEARED _____
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S)
WHOSE NAME(S) IS/ ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED
TO ME THAT HE/ SHE/ THEY EXECUTED THE SAME IN HIS/ HER/ THEIR AUTHORIZED
CAPACITY(IES), AND THAT BY HIS /HER /THEIR SIGNATURE(S) ON THE INSTRUMENT THE
PERSON(S), OR THE ENTITY ON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE
INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND,

SIGNATURE: _____
PRINT NAME: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
PRINCIPAL PLACE OF BUSINESS: _____

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF _____)
COUNTY OF _____) SS

ON _____, 2020, BEFORE ME, _____
A NOTARY PUBLIC, PERSONALLY APPEARED _____
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S)
WHOSE NAME(S) IS/ ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED
TO ME THAT HE/ SHE/ THEY EXECUTED THE SAME IN HIS/ HER/ THEIR AUTHORIZED
CAPACITY(IES), AND THAT BY HIS /HER /THEIR SIGNATURE(S) ON THE INSTRUMENT THE
PERSON(S), OR THE ENTITY ON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE
INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND,

SIGNATURE: _____
PRINT NAME: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
PRINCIPAL PLACE OF BUSINESS: _____

COUNTY RECORDER'S STATEMENT

FILED FOR RECORD THIS _____ DAY OF _____, 2020, AT _____ M.,
IN BOOK _____ OF MAPS AT PAGES _____ AT THE REQUEST
OF OLD REPUBLIC TITLE COMPANY.

FEE: \$ _____ SERIES NO. _____

MELISSA WILK
COUNTY RECORDER IN AND FOR THE
COUNTY OF ALAMEDA, STATE OF CALIFORNIA
BY: _____
DEPUTY COUNTY RECORDER

TRUSTEE'S STATEMENT

THE UNDERSIGNED, ROMAN CATHOLIC BISHOP OF OAKLAND, AS TRUSTEE BY SUBSTITUTION OF TRUSTEE RECORDED MAY 1, 2006 AS INSTRUMENT NO. 2006-174459 UNDER THAT CERTAIN DEED OF TRUST RECORDED AUGUST 30, 2005 AS INSTRUMENT NO. 2005-371651 AND RE-RECORDED FEBRUARY 22, 2006 AS INSTRUMENT NO. 2006-65447, ALL OF OFFICIAL RECORDS OF ALAMEDA COUNTY; DOES HEREBY CONSENT TO THE PREPARATION AND FILING OF SAID "TRACT 8518", THIS MAP, AND JOINS IN ALL DEDICATIONS THEREON.

ROMAN CATHOLIC BISHOP OF OAKLAND

BY: _____

NAME: _____

TITLE: _____

TRUSTEE'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF _____)
COUNTY OF _____) SS

ON _____, 2020, BEFORE ME, _____
A NOTARY PUBLIC, PERSONALLY APPEARED _____
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S)
WHOSE NAME(S) IS/ ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED
TO ME THAT HE/ SHE/ THEY EXECUTED THE SAME IN HIS/ HER/ THEIR AUTHORIZED
CAPACITY(IES), AND THAT BY HIS /HER /THEIR SIGNATURE(S) ON THE INSTRUMENT THE
PERSON(S), OR THE ENTITY ON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE
INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

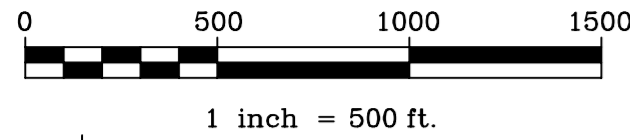
WITNESS MY HAND,

SIGNATURE: _____
PRINT NAME: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
PRINCIPAL PLACE OF BUSINESS: _____

TRACT 8518

BEING A 11 LOT SUBDIVISION OF PARCEL L, PARCEL M,
AND A PORTION OF REMAINDER 1, AS SHOWN ON THE
MAP OF TRACT 8356, FILED JULY 5, 2017
IN BOOK 347 OF MAPS AT PAGES 71-93
ALAMEDA COUNTY RECORDS

CITY OF HAYWARD
ALAMEDA COUNTY, CALIFORNIA
RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
(925) 227-9100
JUNE 2020

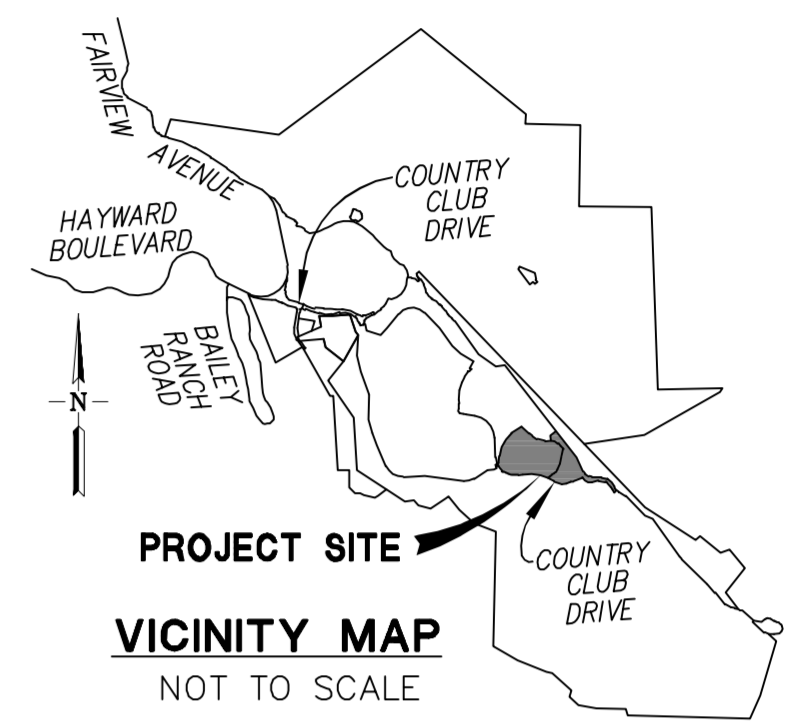


LEGEND

- | | | | |
|-----------|--|-----------|--|
| ————— | EXTERIOR BOUNDARY | (M-M) | MONUMENT TO MONUMENT |
| ————— | LOT LINE | EVAE | EMERGENCY VEHICLE ACCESS EASEMENT |
| - - - - - | EXISTING EASEMENT LINE | LE | LANDSCAPE EASEMENT |
| - - - - - | NEW EASEMENT LINE | PPPE | PRIVATE PEDESTRIAN PATH EASEMENT |
| ————— | MONUMENT LINE | PG&E | PACIFIC GAS AND ELECTRIC EASEMENT |
| ————— | MONUMENT TIE LINE | PTE | PUBLIC TRAIL EASEMENT |
| ————— | EXISTING PROPERTY LINE | PAE | PUBLIC ACCESS EASEMENT |
| ————— | SECTION LINE | PSE | PUBLIC SERVICE EASEMENT |
| ● | STANDARD CITY OF HAYWARD MONUMENT STAMPED PER REFERENCE AS NOTED | (R) | RADIAL BEARING |
| ⊙ | SET STANDARD CITY OF HAYWARD MONUMENT STAMPED LS 6441 | (T) | TOTAL DISTANCE |
| ● | 3/4" IRON PIPE WITH PLASTIC PLUG STAMPED PER REFERENCE AS NOTED | (DATA)(1) | RECORD DATA & REFERENCE |
| | | EX. | EXISTING |
| | | FD | FOUND |
| | | SQ.FT. | SQUARE FEET |
| | | R/S | RECORD OF SURVEY |
| | | M | MAPS |
| | | EBRPDE | EAST BAY REGIONAL PARK DISTRICT EASEMENT |
| | | PSDE | PRIVATE STORM DRAIN EASEMENT |
| | | PSSE | PRIVATE SANITARY SEWER EASEMENT |

BASIS OF BEARINGS

THE BEARING OF THE MONUMENT LINE ON COUNTRY CLUB DRIVE, SHOWN AS N12°40'37"W BETWEEN THE FOUND MONUMENTS WITH A DISTANCE OF 118.96', AS SHOWN ON THE MAP OF TRACT 7736, FILED MAY 24, 2007 IN BOOK 299 OF MAPS AT PAGE 39, OFFICIAL RECORDS OF ALAMEDA COUNTY.

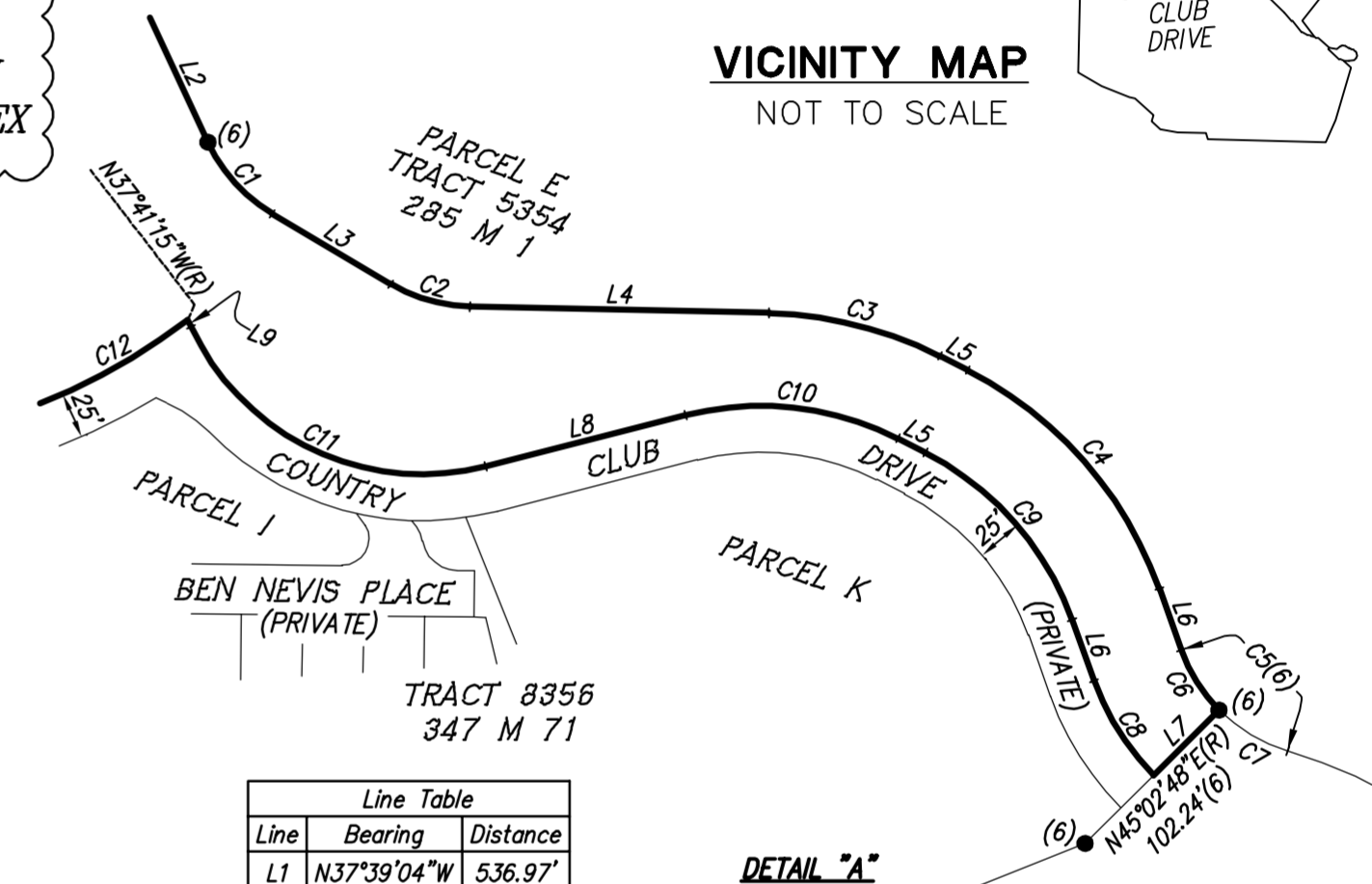


NOTE:
THIS SHEET FOR BOUNDARY DATA ONLY
SEE SHEET 4 FOR SUBDIVISION SHEET INDEX

AREA WITHIN EXTERIOR BOUNDARY LINE = 20.02±ACRES

REFERENCES

- (1) RECORD OF SURVEY NO. 871, (14 R/S 59)
- (2) TRACT 5354, (285 M 1)
- (3) TRACT 7736, (299 M 39)
- (4) RECORD OF SURVEY NO. 514, (9 R/S 47)
- (5) PARCEL MAP 9702, (306 M 58)
- (6) PARCEL MAP 10116, (324 M 80)
- (7) TRACT 8356, (347 M 71)
- (8) DOC NO. 2015-239610

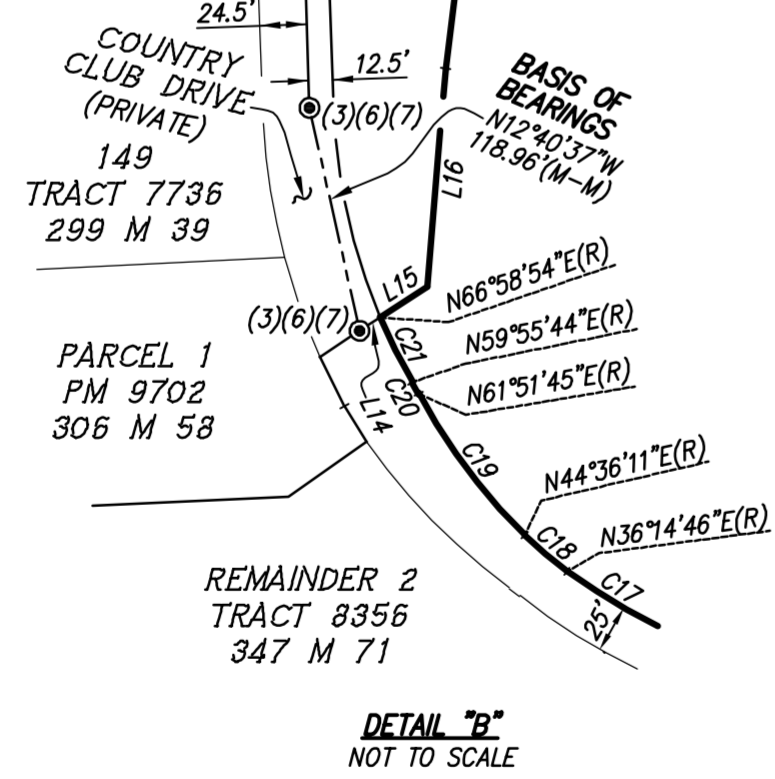


Line	Bearing	Distance
L1	N37°39'04"W	536.97'
L2	N24°50'54"W	253.90'
L3	N59°21'29"W	74.41'
L4	N88°49'08"W	161.60'
L5	N62°56'51"W	16.80'
L6	N19°35'39"W	35.11'
L7	N45°02'48"E	50.00'
L8	N75°31'05"E	111.51'
L9	N24°50'54"W	4.11'
L10	N79°30'00"E	41.22'
L11	N69°28'17"E	57.76'
L12	N61°32'03"W	92.68'
L13	N78°34'45"E	71.58'

Line	Bearing	Distance
L14	N56°46'00"E	12.69'
L15	N56°46'00"E	29.44'
L16	N04°48'00"E	113.87'
L17	N58°58'00"E	191.27'
L18	N47°20'54"W	171.41'

Line	Bearing	Distance
L19	N58°35'54"W	93.26'
L20	N17°58'52"E	25.00'
L21	N83°52'03"E	94.32'
L22	N06°07'57"W	50.00'
L23	N52°20'56"E	117.47'

Curve	Radius	Delta	Length
C1	87.50'	34°30'35"	52.70'
C2	87.50'	29°27'39"	44.99'
C3	212.50'	25°52'17"	95.95'
C4	212.50'	43°21'12"	160.79'
C5	87.50'	53°51'10"	82.24'
C6	87.50'	25°21'33"	38.73'
C7	87.50'	28°29'37"	43.51'
C8	137.50'	25°21'33"	60.86'
C9	162.50'	43°21'12"	122.96'
C10	162.50'	41°32'04"	117.80'
C11	137.50'	79°38'01"	191.11'
C12	325.00'	27°11'15"	154.22'
C13	150.50'	10°01'43"	26.34'
C14	137.50'	29°13'17"	70.13'
C15	387.50'	19°46'23"	133.73'
C16	647.50'	39°53'12"	450.76'
C17	312.50'	47°40'01"	259.98'
C18	199.50'	08°21'25"	29.10'
C19	306.50'	17°15'34"	92.33'
C20	200.50'	01°56'01"	6.77'
C21	306.50'	07°03'10"	37.73'
C22	550.00'	45°41'45"	438.65'
C23	312.50'	11°15'00"	61.36'
C24	212.50'	13°25'14"	49.77'
C25	187.50'	24°06'49"	78.91'

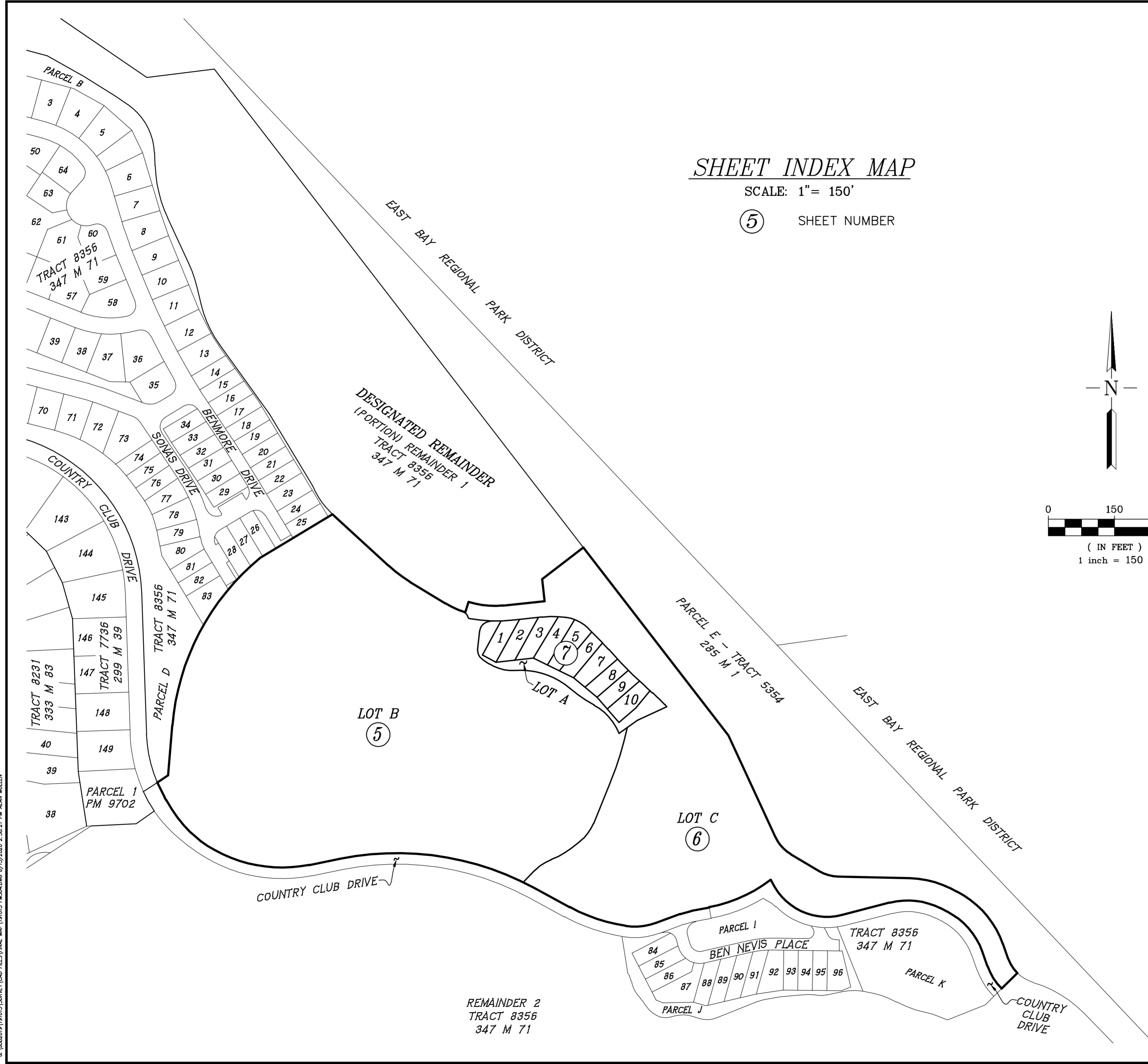


TRACT 8518

BEING A 11 LOT SUBDIVISION OF PARCEL L, PARCEL M, AND A PORTION OF REMAINDER 1, AS SHOWN ON THE MAP OF TRACT 8356, FILED JULY 5, 2017 IN BOOK 347 OF MAPS AT PAGES 71-93 ALAMEDA COUNTY RECORDS

CITY OF HAYWARD
ALAMEDA COUNTY, CALIFORNIA
RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
(925) 227-9100
JUNE 2020

G:\LURE\2019\191015\191015_PLEASANTON\191015_PLEASANTON_1712172020_11:00:05 AM ALAN MULLEN



SHEET INDEX MAP

SCALE: 1" = 150'

⑤ SHEET NUMBER

BASIS OF BEARINGS

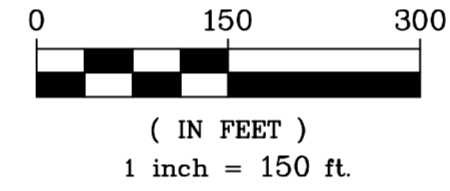
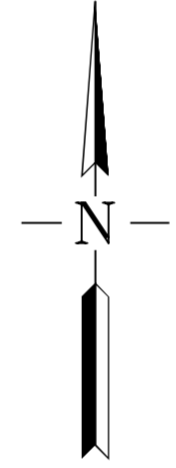
THE BEARING OF THE MONUMENT LINE ON COUNTRY CLUB DRIVE, SHOWN AS N12°40'37"W BETWEEN THE FOUND MONUMENTS WITH A DISTANCE OF 118.96', AS SHOWN ON THE MAP OF TRACT 7736, FILED MAY 24, 2007 IN BOOK 299 OF MAPS AT PAGE 39, OFFICIAL RECORDS OF ALAMEDA COUNTY.

NOTE:

ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.

LEGEND

- EXTERIOR BOUNDARY
- LOT LINE
- - - - EXISTING EASEMENT LINE
- - - - NEW EASEMENT LINE
- MONUMENT LINE
- MONUMENT TIE LINE
- EXISTING PROPERTY LINE
- - - - SECTION LINE
- STANDARD CITY OF HAYWARD MONUMENT STAMPED PER REFERENCE AS NOTED
- ⊙ SET STANDARD CITY OF HAYWARD MONUMENT STAMPED LS 6441
- 3/4" IRON PIPE WITH PLASTIC PLUG STAMPED PER REFERENCE AS NOTED
- (M-M) MONUMENT TO MONUMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- LE LANDSCAPE EASEMENT
- PPPE PRIVATE PEDESTRIAN PATH EASEMENT
- PG&E PACIFIC GAS AND ELECTRIC EASEMENT
- PTE PUBLIC TRAIL EASEMENT
- PAE PUBLIC ACCESS EASEMENT
- PSE PUBLIC SERVICE EASEMENT
- (R) RADIAL BEARING
- (T) TOTAL DISTANCE
- (DATA)(1) RECORD DATA & REFERENCE
- EX. EXISTING
- FD FOUND
- SQ.FT. SQUARE FEET
- R/S RECORD OF SURVEY
- M MAPS
- EBRPDE EAST BAY REGIONAL PARK DISTRICT EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- PSSE PRIVATE SANITARY SEWER EASEMENT



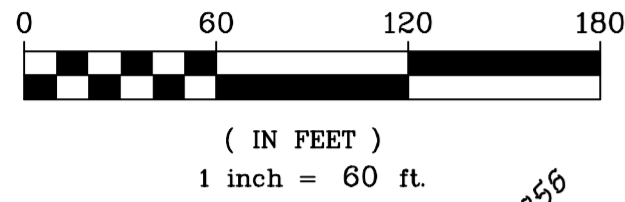
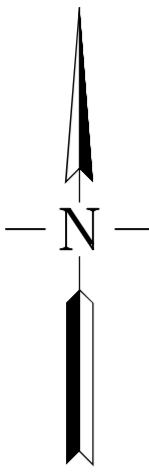
TRACT 8518

BEING A 11 LOT SUBDIVISION OF PARCEL L, PARCEL M, AND A PORTION OF REMAINDER 1, AS SHOWN ON THE MAP OF TRACT 8356, FILED JULY 5, 2017 IN BOOK 347 OF MAPS AT PAGES 71-93 ALAMEDA COUNTY RECORDS

CITY OF HAYWARD
 ALAMEDA COUNTY, CALIFORNIA
 RUGGERI-JENSEN-AZAR
 CIVIL ENGINEERS, PLANNERS, SURVEYORS
 PLEASANTON, CALIFORNIA
 (925) 227-9100
 JUNE 2020

REMAINDER 2
 TRACT 8356
 347 M 71

G:\URB2019\191015\SURVEY\CAD FILES\FINAL MAP\191015_PASDAQ.DWG 6/15/2020 2:58:21 PM ALAN MULLEN



BASIS OF BEARINGS

THE BEARING OF THE MONUMENT LINE ON COUNTRY CLUB DRIVE, SHOWN AS N12°40'37"W BETWEEN THE FOUND MONUMENTS WITH A DISTANCE OF 118.96', AS SHOWN ON THE MAP OF TRACT 7736, FILED MAY 24, 2007 IN BOOK 299 OF MAPS AT PAGE 39, OFFICIAL RECORDS OF ALAMEDA COUNTY.

NOTE:

ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.

LEGEND

- EXTERIOR BOUNDARY
- - - LOT LINE
- - - EXISTING EASEMENT LINE
- - - NEW EASEMENT LINE
- - - MONUMENT LINE
- - - MONUMENT TIE LINE
- - - EXISTING PROPERTY LINE
- - - SECTION LINE
- STANDARD CITY OF HAYWARD MONUMENT STAMPED PER REFERENCE AS NOTED
- ⊙ SET STANDARD CITY OF HAYWARD MONUMENT STAMPED LS 6441
- 3/4" IRON PIPE WITH PLASTIC PLUG STAMPED PER REFERENCE AS NOTED
- (M-M) MONUMENT TO MONUMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- LE LANDSCAPE EASEMENT
- PPPE PRIVATE PEDESTRIAN PATH EASEMENT
- PG&E PACIFIC GAS AND ELECTRIC EASEMENT
- PTE PUBLIC TRAIL EASEMENT
- PAE PUBLIC ACCESS EASEMENT
- PSE PUBLIC SERVICE EASEMENT
- (R) RADIAL BEARING
- (T) TOTAL DISTANCE
- (DATA)(1) RECORD DATA & REFERENCE
- EX. EXISTING
- FD FOUND
- SQ.FT. SQUARE FEET
- R/S RECORD OF SURVEY
- M MAPS
- EBRPDE EAST BAY REGIONAL PARK DISTRICT EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- PSSE PRIVATE SANITARY SEWER EASEMENT

Curve	Radius	Delta	Length
C1	550.00'	24°52'13"	238.74'
C2	312.50'	11°15'00"	61.36'
C3	212.50'	13°25'14"	49.77'
C4	28.00'	23°25'47"	11.45'
C5	352.00'	9°23'59"	57.75'
C8	45.00'	20°31'16"	16.12'
C9	96.00'	37°07'46"	62.21'
C10	174.00'	44°20'41"	134.67'
C11	325.50'	11°31'08"	65.44'
C12	128.50'	38°54'23"	87.26'
C13	742.00'	8°06'22"	104.98'
C14	742.00'	1°44'05"	22.46'
C16	98.00'	30°09'50"	51.59'
C17	175.00'	16°36'19"	50.72'
C18	108.00'	24°27'21"	46.10'
C19	647.50'	39°53'12"	450.76'
C20	647.50'	2°23'10"	26.97'
C21	647.50'	22°19'35"	252.31'
C22	312.50'	47°40'01"	259.98'
C23	199.50'	8°21'25"	29.10'
C24	306.50'	17°15'34"	92.33'
C25	200.50'	1°56'01"	6.77'
C26	306.50'	7°03'10"	37.73'
C27	647.50'	1°46'11"	20.00'
C28	647.50'	13°24'16"	151.48'
C29	25.00'	64°37'42"	28.20'
C30	25.00'	62°48'45"	27.41'
C31	28.00'	15°00'43"	7.34'
C32	345.50'	4°49'42"	29.11'
C33	25.00'	54°13'13"	23.66'
C34	25.00'	14°30'37"	6.33'
C35	28.00'	44°10'28"	21.59'

Line	Bearing	Distance
R1	N13°20'05"E (R=28')	
R2	N18°09'46"E (R=345.50')	
R3	N72°22'59"E (R=25')	
R4	N57°52'22"E (R=25')	

Line	Bearing	Distance
L1	N56°46'00"E	24.84'
L2	N56°46'00"E	12.69'
L3	N38°19'02"E	12.50'
L4	N11°25'15"W	12.50'
L5	N28°27'57"E	12.50'
L6	N64°07'02"W	139.96'
L7	N88°59'10"W	139.96'
L8	N78°34'45"E	71.58'
L9	N88°33'03"E	219.91'
L10	N71°30'21"W	219.91'
L11	N61°32'03"W	92.68'
L12	N56°46'00"E	29.44'
L13	N58°35'54"W	93.26'
L14	N52°15'56"E	26.24'
L15	N44°24'54"E	36.78'
L16	N05°57'03"E	40.57'
L17	N05°57'03"E	15.08'
L18	N84°02'57"W	20.00'
L19	N56°51'42"W	16.97'
L20	N58°35'54"W	11.32'
L21	N12°08'07"E	5.91'
L22	N12°08'07"E	19.47'

LOT B
12.82±ACRES

DETAIL "A" (PSE, EVAE)
NOT TO SCALE

REFERENCES

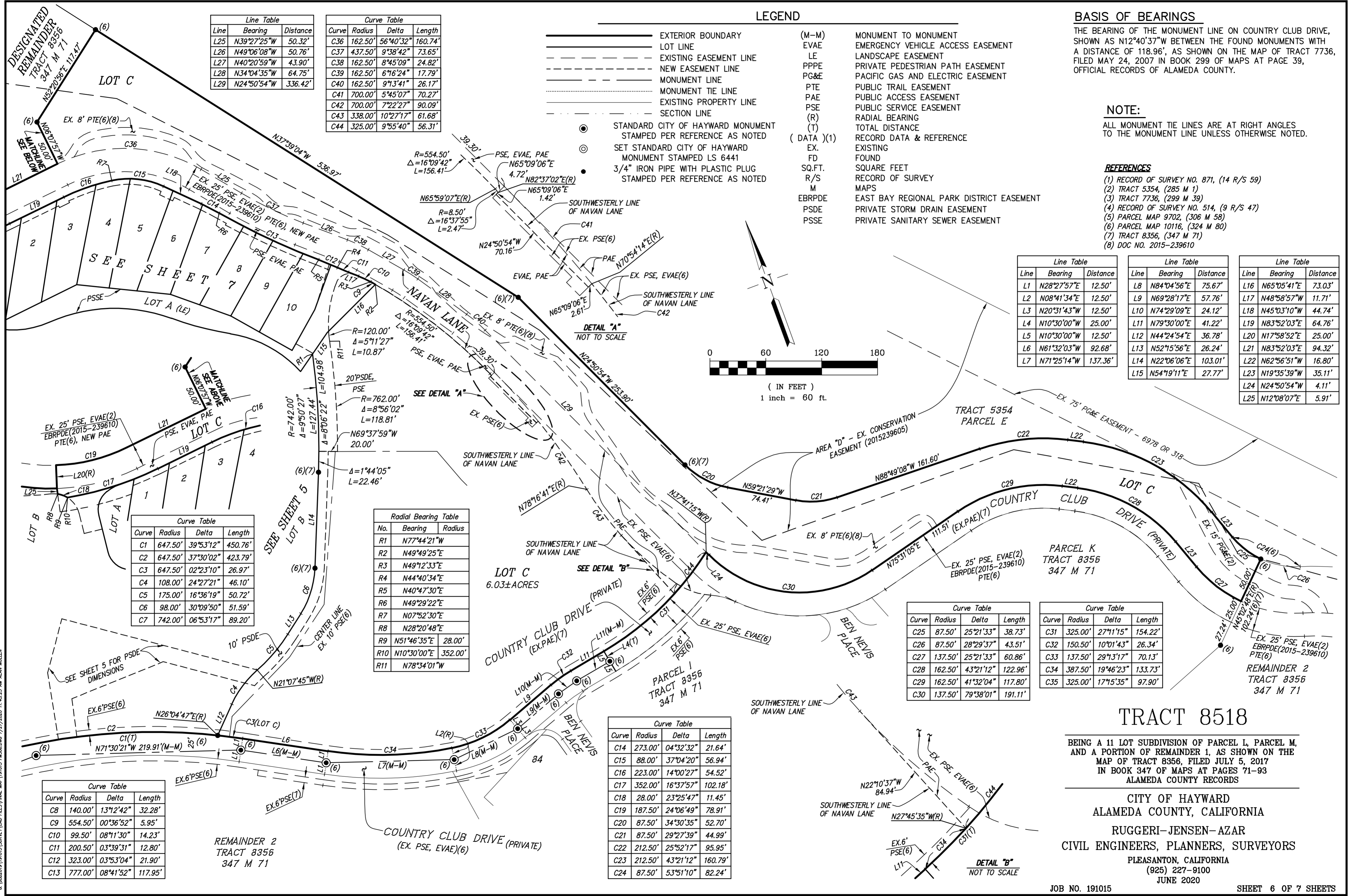
- (1) RECORD OF SURVEY NO. 871, (14 R/S 59)
- (2) TRACT 5354, (285 M 1)
- (3) TRACT 7736, (299 M 39)
- (4) RECORD OF SURVEY NO. 514, (9 R/S 47)
- (5) PARCEL MAP 9702, (306 M 58)
- (6) PARCEL MAP 10116, (324 M 80)
- (7) TRACT 8356, (347 M 71)
- (8) DOC NO. 2015-239610

TRACT 8518

BEING A 11 LOT SUBDIVISION OF PARCEL L, PARCEL M, AND A PORTION OF REMAINDER 1, AS SHOWN ON THE MAP OF TRACT 8356, FILED JULY 5, 2017 IN BOOK 347 OF MAPS AT PAGES 71-93 ALAMEDA COUNTY RECORDS

CITY OF HAYWARD
ALAMEDA COUNTY, CALIFORNIA
RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
(925) 227-9100
JUNE 2020

CS: LAR2019 (191015) SURVEY/CAD FILES/FINAL MAP (191015) FIGS.DWG 7/27/2020 4:03:09 PM ALAN MULLEN



LEGEND

- EXTERIOR BOUNDARY
- LOT LINE
- - - EXISTING EASEMENT LINE
- - - NEW EASEMENT LINE
- MONUMENT LINE
- MONUMENT TIE LINE
- - - EXISTING PROPERTY LINE
- - - SECTION LINE
- STANDARD CITY OF HAYWARD MONUMENT STAMPED PER REFERENCE AS NOTED
- ⊙ SET STANDARD CITY OF HAYWARD MONUMENT STAMPED LS 6441
- 3/4" IRON PIPE WITH PLASTIC PLUG STAMPED PER REFERENCE AS NOTED
- (M-M) MONUMENT TO MONUMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- LE LANDSCAPE EASEMENT
- PPPE PRIVATE PEDESTRIAN PATH EASEMENT
- PG&E PACIFIC GAS AND ELECTRIC EASEMENT
- PTE PUBLIC TRAIL EASEMENT
- PAE PUBLIC ACCESS EASEMENT
- PSE PUBLIC SERVICE EASEMENT
- (R) RADIAL BEARING
- (T) TOTAL DISTANCE
- (DATA)(1) RECORD DATA & REFERENCE
- EX. EXISTING
- FD FOUND
- SQ.FT. SQUARE FEET
- R/S RECORD OF SURVEY
- M MAPS
- EBRPDE EAST BAY REGIONAL PARK DISTRICT EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- PSSE PRIVATE SANITARY SEWER EASEMENT

BASIS OF BEARINGS

THE BEARING OF THE MONUMENT LINE ON COUNTRY CLUB DRIVE, SHOWN AS N12°40'37"W BETWEEN THE FOUND MONUMENTS WITH A DISTANCE OF 118.96', AS SHOWN ON THE MAP OF TRACT 7736, FILED MAY 24, 2007 IN BOOK 299 OF MAPS AT PAGE 39, OFFICIAL RECORDS OF ALAMEDA COUNTY.

NOTE:

ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.

REFERENCES

- (1) RECORD OF SURVEY NO. 871, (14 R/S 59)
- (2) TRACT 5354, (285 M 1)
- (3) TRACT 7736, (299 M 39)
- (4) RECORD OF SURVEY NO. 514, (9 R/S 47)
- (5) PARCEL MAP 9702, (306 M 58)
- (6) PARCEL MAP 10116, (324 M 80)
- (7) TRACT 8356, (347 M 71)
- (8) DOC NO. 2015-239610

Line	Bearing	Distance
L25	N39°27'25"W	50.32'
L26	N49°06'08"W	50.76'
L27	N40°20'59"W	43.90'
L28	N34°04'35"W	64.75'
L29	N24°50'54"W	336.42'

Curve	Radius	Delta	Length
C36	162.50'	56°40'32"	160.74'
C37	437.50'	9°38'42"	73.65'
C38	162.50'	8°45'09"	24.82'
C39	162.50'	6°16'24"	17.79'
C40	162.50'	9°13'41"	26.17'
C41	700.00'	5°45'07"	70.27'
C42	700.00'	7°22'27"	90.09'
C43	338.00'	10°27'17"	61.68'
C44	325.00'	9°55'40"	56.31'

Line	Bearing	Distance
L1	N28°27'57"E	12.50'
L2	N08°41'34"E	12.50'
L3	N20°31'43"W	12.50'
L4	N10°30'00"W	25.00'
L5	N10°30'00"W	12.50'
L6	N61°32'03"W	92.68'
L7	N71°25'14"W	137.36'

Line	Bearing	Distance
L8	N84°04'56"E	75.67'
L9	N69°28'17"E	57.76'
L10	N74°29'09"E	24.12'
L11	N79°30'00"E	41.22'
L12	N44°24'54"E	36.78'
L13	N52°15'56"E	26.24'
L14	N22°06'06"E	103.01'
L15	N54°19'11"E	27.77'

Line	Bearing	Distance
L16	N65°05'41"E	73.03'
L17	N48°58'57"W	11.71'
L18	N45°03'10"W	44.74'
L19	N83°52'03"E	64.76'
L20	N17°58'52"E	25.00'
L21	N83°52'03"E	94.32'
L22	N62°56'51"W	16.80'
L23	N19°35'39"W	35.11'
L24	N24°50'54"W	4.11'
L25	N12°08'07"E	5.91'

Curve	Radius	Delta	Length
C1	647.50'	39°53'12"	450.76'
C2	647.50'	37°30'02"	423.79'
C3	647.50'	02°23'10"	26.97'
C4	108.00'	24°27'21"	46.10'
C5	175.00'	16°36'19"	50.72'
C6	98.00'	30°09'50"	51.59'
C7	742.00'	06°53'17"	89.20'

No.	Bearing	Radius
R1	N77°44'21"W	
R2	N49°49'25"E	
R3	N49°12'33"E	
R4	N44°40'34"E	
R5	N40°47'30"E	
R6	N49°29'22"E	
R7	N07°52'30"E	
R8	N28°20'48"E	
R9	N51°46'35"E	28.00'
R10	N10°30'00"E	352.00'
R11	N78°34'01"W	

Curve	Radius	Delta	Length
C25	87.50'	25°21'33"	38.73'
C26	87.50'	28°29'37"	43.51'
C27	137.50'	25°21'33"	60.86'
C28	162.50'	43°21'12"	122.96'
C29	162.50'	41°32'04"	117.80'
C30	137.50'	79°38'01"	191.11'

Curve	Radius	Delta	Length
C31	325.00'	27°11'15"	154.22'
C32	150.50'	10°01'43"	26.34'
C33	137.50'	29°13'17"	70.13'
C34	387.50'	19°46'23"	133.73'
C35	325.00'	17°15'35"	97.90'

Curve	Radius	Delta	Length
C14	273.00'	04°32'32"	21.64'
C15	88.00'	37°04'20"	56.94'
C16	223.00'	14°00'27"	54.52'
C17	352.00'	16°37'57"	102.18'
C18	28.00'	23°25'47"	11.45'
C19	187.50'	24°06'49"	78.91'
C20	87.50'	34°30'35"	52.70'
C21	87.50'	29°27'39"	44.99'
C22	212.50'	25°52'17"	95.95'
C23	212.50'	43°21'12"	160.79'
C24	87.50'	53°51'10"	82.24'

Curve	Radius	Delta	Length
C8	140.00'	13°12'42"	32.28'
C9	554.50'	00°36'52"	5.95'
C10	99.50'	08°11'30"	14.23'
C11	200.50'	03°39'31"	12.80'
C12	323.00'	03°53'04"	21.90'
C13	777.00'	08°41'52"	117.95'

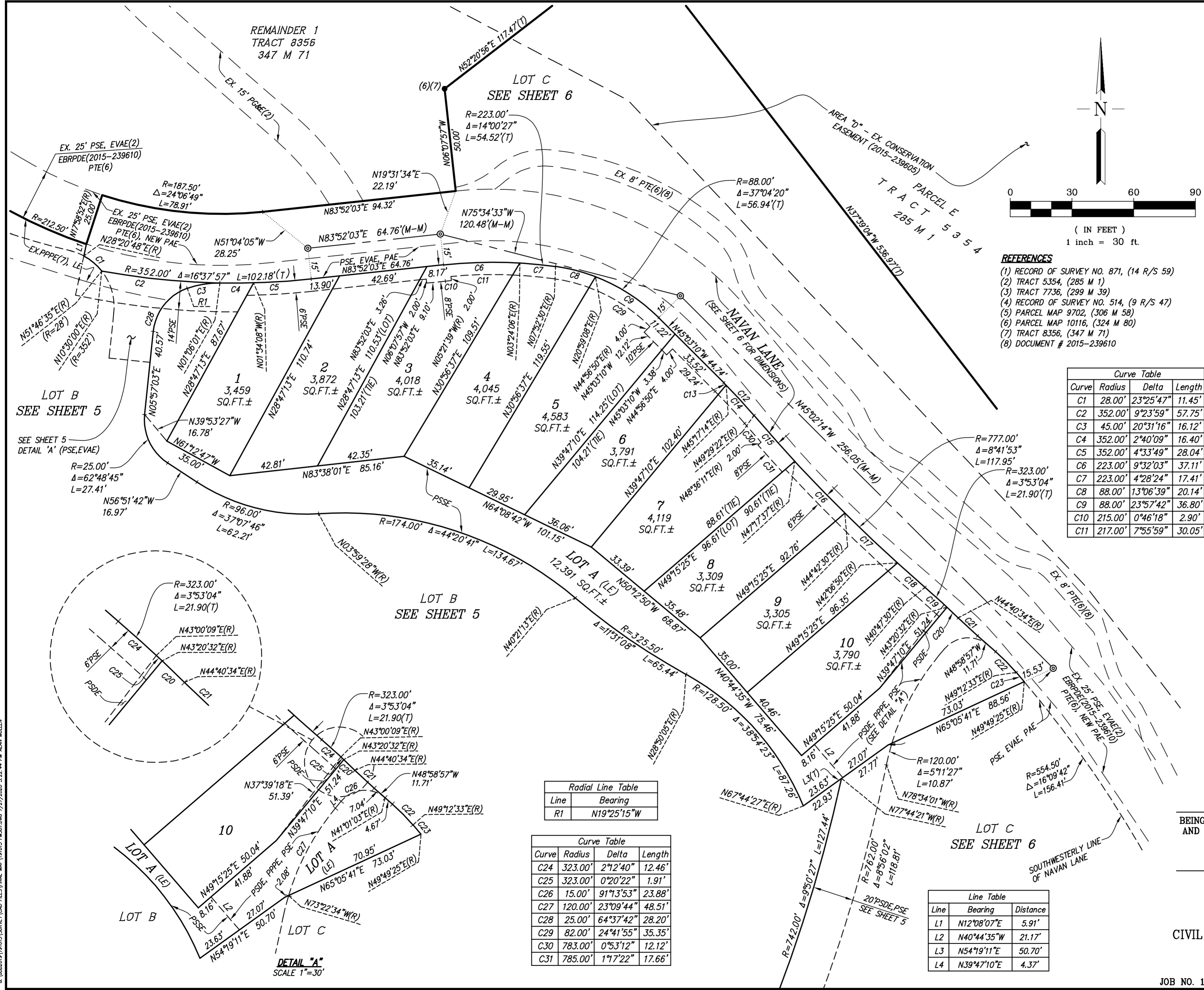
TRACT 8518
 BEING A 11 LOT SUBDIVISION OF PARCEL L, PARCEL M, AND A PORTION OF REMAINDER 1, AS SHOWN ON THE MAP OF TRACT 8356, FILED JULY 5, 2017 IN BOOK 347 OF MAPS AT PAGES 71-93 ALAMEDA COUNTY RECORDS

CITY OF HAYWARD
 ALAMEDA COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR
 CIVIL ENGINEERS, PLANNERS, SURVEYORS

PLEASANTON, CALIFORNIA
 (925) 227-9100
 JUNE 2020

JOB NO. 191015 SHEET 6 OF 7 SHEETS



BASIS OF BEARINGS
 THE BEARING OF THE MONUMENT LINE ON COUNTRY CLUB DRIVE, SHOWN AS N12°40'37"W BETWEEN THE FOUND MONUMENTS WITH A DISTANCE OF 118.96', AS SHOWN ON THE MAP OF TRACT 7736, FILED MAY 24, 2007 IN BOOK 299 OF MAPS AT PAGE 39, OFFICIAL RECORDS OF ALAMEDA COUNTY.

NOTE:
 ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.

LEGEND

- EXTERIOR BOUNDARY
- LOT LINE
- - - EXISTING EASEMENT LINE
- - - NEW EASEMENT LINE
- - - MONUMENT LINE
- - - MONUMENT TIE LINE
- - - EXISTING PROPERTY LINE
- - - SECTION LINE

REFERENCES

- (1) RECORD OF SURVEY NO. 871, (14 R/S 59)
- (2) TRACT 5354, (285 M 1)
- (3) TRACT 7736, (299 M 39)
- (4) RECORD OF SURVEY NO. 514, (9 R/S 47)
- (5) PARCEL MAP 9702, (306 M 58)
- (6) PARCEL MAP 10116, (324 M 80)
- (7) TRACT 8356, (347 M 71)
- (8) DOCUMENT # 2015-239610

Curve	Radius	Delta	Length
C1	28.00'	23°25'47"	11.45'
C2	352.00'	9°23'59"	57.75'
C3	45.00'	20°31'16"	16.12'
C4	352.00'	2°40'09"	16.40'
C5	352.00'	4°33'49"	28.04'
C6	223.00'	9°32'03"	37.11'
C7	223.00'	4°28'24"	17.41'
C8	88.00'	13°06'39"	20.14'
C9	88.00'	23°57'42"	36.80'
C10	215.00'	0°46'18"	2.90'
C11	217.00'	7°55'59"	30.05'

Curve	Radius	Delta	Length
C12	273.00'	4°32'32"	21.64'
C13	273.00'	0°20'24"	1.62'
C14	273.00'	4°12'08"	20.02'
C15	777.00'	2°11'45"	29.78'
C16	777.00'	2°35'07"	35.06'
C17	777.00'	2°35'41"	35.19'
C18	777.00'	1°19'20"	17.93'
C19	323.00'	2°33'02"	14.38'
C20	323.00'	1°20'03"	7.52'
C21	200.50'	3°39'32"	12.80'
C22	99.50'	8°11'30"	14.23'
C23	554.50'	0°36'52"	5.95'

Line	Bearing
R1	N19°25'15"W

Curve	Radius	Delta	Length
C24	323.00'	2°12'40"	12.46'
C25	323.00'	0°20'22"	1.91'
C26	15.00'	91°13'53"	23.88'
C27	120.00'	23°09'44"	48.51'
C28	25.00'	64°37'42"	28.20'
C29	82.00'	24°41'55"	35.35'
C30	783.00'	0°53'12"	12.12'
C31	785.00'	1°17'22"	17.66'

Line	Bearing	Distance
L1	N12°08'07"E	5.91'
L2	N40°44'35"W	21.17'
L3	N54°19'11"E	50.70'
L4	N39°47'10"E	4.37'

TRACT 8518

BEING A 11 LOT SUBDIVISION OF PARCEL L, PARCEL M, AND A PORTION OF REMAINDER 1, AS SHOWN ON THE MAP OF TRACT 8356, FILED JULY 5, 2017 IN BOOK 347 OF MAPS AT PAGES 71-93 ALAMEDA COUNTY RECORDS

CITY OF HAYWARD
 ALAMEDA COUNTY, CALIFORNIA
 RUGGERI-JENSEN-AZAR
 CIVIL ENGINEERS, PLANNERS, SURVEYORS
 PLEASANTON, CALIFORNIA
 (925) 227-9100
 JUNE 2020



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: CONS 20-485

DATE: October 6, 2020

TO: Mayor and City Council

FROM: Deputy City Manager

SUBJECT

Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agricultural Lease Agreement with Virgil Robertson for 20 Acres on Parcel Group 4 Generally Situated on Undeveloped Land between Harder and Tennyson Roads

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute an Agricultural Lease Agreement with Virgil Robertson for approximately 20 acres on Parcel Group 4 generally situated on undeveloped land between Harder and Tennyson Roads.

SUMMARY

The City of Hayward entered into a Purchase and Sale Agreement (PSA) with the California Department of Transportation (Caltrans) in January 2016 for 10 parcel groups of former Caltrans 238 property. The PSA allows the City to buy and dispose of the ten different parcel groups for an 11-year period that now expires in January 2027.

Specifically, this report recommends entering into a month-to-month agricultural lease with Virgil Robertson for grazing and boarding of up to 10 horses on 20 of the 80 acres of Parcel Group 4, generally located in the hills between Harder and Tennyson Roads, to the east of Moreau Catholic High School and the Holy Sepulchre Cemetery, and to the west of California State University East Bay campus. The proposed month-to-month lease is conditioned upon Mr. Robertson maintaining the property in a neat, clean, and orderly condition, as well as terminating his existing lease with the City on portions of the adjacent Parcel Group 3, which will help facilitate the development of the La Vista Park. This is a proposed interim use, as City staff continue to work on long-term next steps for Parcel Group 4.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: October 6, 2020

TO: Mayor and City Council

FROM: Deputy City Manager

SUBJECT: Adopt Resolution Authorizing the City Manager to Negotiate and Execute an Agricultural Lease Agreement with Virgil Robertson for 20 Acres on Parcel Group 4 Generally Situated on Undeveloped Land between Harder and Tennyson Roads

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute an Agricultural Lease Agreement with Virgil Robertson for approximately 20 acres on Parcel Group 4 generally situated on undeveloped land between Harder and Tennyson Roads.

SUMMARY

The City of Hayward entered into a Purchase and Sale Agreement (PSA) with the California Department of Transportation (Caltrans) in January 2016 for 10 parcel groups of former Caltrans 238 property. The PSA allows the City to buy and dispose of the ten different parcel groups for an 11-year period that now expires in January 2027.

Specifically, this report recommends entering into a month-to-month agricultural lease with Virgil Robertson for grazing and boarding of up to 10 horses on 20 of the 80 acres of Parcel Group 4, generally located in the hills between Harder and Tennyson Roads, to the east of Moreau Catholic High School and the Holy Sepulchre Cemetery, and to the west of California State University East Bay campus. The proposed month-to-month lease is conditioned upon Mr. Robertson maintaining the property in a neat, clean, and orderly condition, as well as terminating his existing lease with the City on portions of the adjacent Parcel Group 3, which will help facilitate the development of the La Vista Park. This is a proposed interim use, as City staff continue to work on long-term next steps for Parcel Group 4.

BACKGROUND

The City of Hayward entered into a PSA with Caltrans in January 2016 for 10 parcel groups of former Caltrans 238 property. Specifically, this report recommends entering

into a month-to-month agricultural lease with Virgil Robertson for grazing and boarding of up to 10 horses on 20 of the 80 acres of Parcel Group 4, generally located in the hills between Harder and Tennyson Roads, to the east of Moreau Catholic High School and the Holy Sepulchre Cemetery, and to the west of California State University East Bay campus.

DISCUSSION

City staff recommends entering into an agricultural lease agreement with Virgil Robertson according to the following key terms:

- **Lessee:** Virgil Robertson.
- **Term:** Month-to-Month.
- **Premises:** 20 of the 80 acres of Parcel Group 4, generally located in the hills on undeveloped land between Harder and Tennyson Roads.
- **Use:** Grazing and boarding of up to 10 horses, including installation of fencing and adherence to approved practices of good husbandry and in accordance with standard farming practices. No other alteration to the property is allowed without City approval.
- **Rent:** \$300 per month consistent with other comparable grazing leases.
- **Maintenance:** Maintenance of the property in a neat, clean, and orderly condition.
- **Conditions:** Termination of Mr. Robertson's existing lease on portions of Parcel Group 3, which will help facilitate the development of the La Vista Park.

This is a proposed interim use, as City staff continue to work on long-term next steps for Parcel Group 4.

ECONOMIC IMPACT

While no property taxes are currently being paid on this Parcel Group and minimal possessory interest taxes are expected to be paid as a result of the proposed lease, the lease will help facilitate the development of the La Vista Park on portions of Parcel Group 3, which is expected to have a beneficial impact on the entire Hayward community.

FISCAL IMPACT

There is a minor expected positive impact on the City's General Fund by having a private entity be responsible for maintaining 20 of the 80 acres of Parcel Group 4 and generating a lease payment.

STRATEGIC ROADMAP

This agenda item supports Project #5: Facilitates the disposition and development of the Route 238 corridor lands, under the Grow the Economy Strategic Priority.

ENVIRONMENTAL REVIEW

The authorization of this lease on Parcel Group 4 is exempt under the California Environmental Quality Act pursuant to: 14 CCR §§ 15325 (transfer to allow continued agricultural or open space uses), 15311 (accessory structures), 15304 (minor alteration of land), 15301 (lease of existing facilities), and 15061(b)(3) [common sense exemption].

PUBLIC CONTACT

The City has been working with the community for years on the plan and development of La Vista Park on portions of Parcel Group 3, which will be benefited by the termination of Mr. Robertson's existing lease on that property. No other outreach was performed for this interim month-to-month lease.

NEXT STEPS

Upon authorization by the City Council, the City Manager will enter into an agricultural lease agreement with Mr. Robertson consistent with the key term summarized in this Staff Report and in the attached Resolution (Attachment II).

Prepared and Recommended by: Jennifer Ott, Deputy City Manager

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-____

Introduced by Council Member _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN
AGRICULTURAL LEASE AGREEMENT WITH VIRGIL ROBERTSON FOR 20
ACRES ON PARCEL GROUP 4 GENERALLY SITUATED ON UNDEVELOPED
LAND BETWEEN HARDER AND TENNYSON ROADS

WHEREAS, the State Department of Transportation (Caltrans) purchased over 400 parcels of property in the City of Hayward for the planned construction of the 238 Bypass Freeway project, which was stopped because of a lawsuit filed by La Raza Unida of Southern Alameda County; and

WHEREAS, the City and Caltrans negotiated a Purchase and Sale Agreement for the City to acquire a portion of the properties from Caltrans, that was approved by the City Council and the California Transportation Commission (CTC) in January 2016; and

WHEREAS, the Purchase and Sale Agreement with Caltrans allows the City to buy and dispose of ten different parcel groups for an 11-year period that now expires in January 2027; and

WHEREAS, the City proposes entering into a month-to-month agricultural lease with Virgil Robertson for grazing and boarding of up to 10 horses on 20 of the 80 acres of Parcel Group 4, generally located in the hills between Harder and Tennyson Roads, to the east of Moreau Catholic High School and the Holy Sepulchre Cemetery, and to the west of California State University East Bay campus (as shown on Exhibit A);

WHEREAS, a summary of the key terms of the proposed lease is described in detail in the accompanying Staff Report and include the following terms: premises, term, use, rent, and maintenance obligations, among other terms; and

WHEREAS, the proposed month-to-month lease is conditioned upon Mr. Robertson terminating his existing lease with the City on portions of the adjacent Parcel Group 3, which will help facilitate the development of the La Vista Park; and

WHEREAS, Mr. Robertson's use of the property is proposed as an interim use while City staff continue to work on long-term next steps for Parcel Group 4; and

WHEREAS, the approval of this Resolution and the authorization to enter into the proposed lease is exempt from the California Environmental Quality Act (CEQA) pursuant to: 14 C.C.R. §§ 15325 (transfer to allow continued agricultural or open space uses), 15311 (accessory structures), 15304 (minor alteration of land), 15301 (lease of existing facilities), and 15061(b)(3) [common sense exemption].

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes and directs the City Manager to negotiate and execute an agricultural lease agreement with Virgil Robertson consistent with the terms generally outlined in this Resolution and the accompanying Staff Report, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: CONS 20-487

DATE: October 6, 2020

TO: Mayor and City Council

FROM: CIO/Director of Information Technology

SUBJECT

Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Contra Costa Electric for Fiber Optic Installation Services in an Amount Not-to-Exceed \$254,842

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute an agreement with Contra Costa Electric for fiber optic installation services in an amount not to exceed \$ 254,842.

SUMMARY

During FY20, a fiber asset audit was completed that provided the City with a prioritized list of action items with the goal of maintaining and improving the City fiber infrastructure. One of the primary recommendations from the fiber asset audit was to immediately replace a 60-strand section of fiber running from City Hall down Winton to Hesperian. Failing to replace the fiber will result in reduced quality of data signal and a possible complete loss of transmission as a majority of the fibers are so degraded or broken that they are no longer usable for our network. The City currently utilizes City-owned fiber optic cable for communications, traffic signals, and internet services and upgrading this technology is critical to maintaining a secure, fast, and reliable communication network for daily operation of the City.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: October 6, 2020

TO: Mayor and City Council

FROM: CIO/Director of Information Technology

SUBJECT: Adopt a Resolution Authorizing the City Manager to Negotiate and Execute an Agreement with Contra Costa Electric for Fiber Optic Installation Services in an Amount Not to Exceed \$254,842

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute an agreement with Contra Costa Electric for fiber optic installation services in an amount not to exceed \$254,842.

SUMMARY

During FY20, a fiber asset audit was completed that provided the City with a prioritized list of action items with the goal of maintaining and improving the City fiber infrastructure. One of the primary recommendations from the fiber asset audit was to immediately replace a 60-strand section of fiber running from City Hall down Winton to Hesperian. Failing to replace the fiber will result in reduced quality of data signal and a possible complete loss of transmission as a majority of the fibers are so degraded or broken that they are no longer usable for our network. The City currently utilizes City-owned fiber optic cable for communications, traffic signals, and Internet services and upgrading this technology is critical to maintaining a secure, fast, and reliable communication network for daily operation of the City.

BACKGROUND

Maintaining and upgrading the City networking equipment and infrastructure is one of the primary responsibilities of the IT Infrastructure Team as this ensures secure, fast, and reliable communication throughout the City. The main trunk of fiber optic cables, or “backbone,” was installed in the 1980s and runs from City Hall down Winton to Hesperian connecting several City facilities. The fibers installed over 30 years ago have reached the end of their usual business life and new fiber strand technology provides reliability, redundancy, and expansion capabilities over the old fiber technology.

DISCUSSION

Throughout the years, the City has expanded the fiber optic network to include additional traffic signals, city-owned facilities, and redundant pathways for the City's Internet connectivity. Each expansion of the fiber network required fusing new fiber design to the old fiber design, which over time has resulted in underperformance and lower connection speeds at many points in the network. In addition, the underground enclosures that house the fiber optics have been exposed to the elements and the insulation on many of them need repair to ensure adequate protection and maintenance moving forward. This project will not only upgrade the fiber-optic cables and enclosures, but will also address these critical elements:

Key Project Attributes

Reliability – Due to the age, exposure to the elements, and strand design backbone, the fiber is failing across multiple strands. The current fiber is well beyond the recommended life and has a design that is no longer manufactured. Staff cannot estimate the current lifespan of the fiber due to these factors.

Backup/Redundancy – Over the years, spare fiber has been used and even borrowed from other buildings to keep communications running. This project improves the City's backup posture by having spare fibers which the city could use in case of an emergency.

Network Capacity – All fiber strands that can be put in use are in use and there are no spare strands on this path, which leaves the City with no fiber optic path available for the new Fire Station 6 building, currently under construction. Replacing the old 60-strand fiber with a new 144-strand will allow the City to connect the new Fire Station as well provide significant room for growth and leave room for strand failure.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of Improve Infrastructure. This item is not specifically related to a project identified in the Strategic Roadmap. Staff is bringing forth this new item because of the need to provide cost effective, secure, fast, and reliable communications within the City of Hayward network. Staff will include this item in the next bi-annual update to Council on the Strategic Roadmap.

FISCAL IMPACT

The cost of this service agreement with Contra Costa Electric will not exceed \$254,842 and this expense is included in the City's FY 2021 CIP Budget. Authorizing this agreement does not require an additional appropriation.

NEXT STEPS

If Council authorizes the City Manager to negotiate and execute this agreement, staff will schedule the project. The project kickoff would commence in November 2020 and is estimated to take four months to complete.

Prepared by: Carolyn Saputo, IT Manager Infrastructure

Recommended by: Adam Kostrzak, Chief Information Officer

Approved by:

A handwritten signature in black ink, appearing to read 'K. McAdoo', written in a cursive style.

Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-_____

Introduced by Council Member _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN
AGREEMENT BETWEEN THE CITY OF HAYWARD AND CONTRA COSTA
ELECTRIC FOR FIBER OPTIC INSTALLATION SERVICES

WHEREAS, the City currently utilizes City-owned fiber optic cable for communications, traffic signals, and Internet services and upgrading this technology is critical to maintaining a secure, fast, and reliable communication network for daily operation of the City; and

WHEREAS, the main portion of the City's fiber optic cables were installed in the 1980s and run from City Hall down Winton Avenue to Hesperian Boulevard connecting several City facilities; and

WHEREAS, the City's fiber optic cables have been impacted by changes to the fiber optic network and exposure to elements; and

WHEREAS, during Fiscal Year 2020, a fiber asset audit was completed which identified the need for immediate action to replace the fiber optic cables running from City Hall down Winton Avenue to Hesperian Boulevard; and

WHEREAS, the project will upgrade the fiber-optic cables and will also improve reliability, network capacity, and backup options.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward authorizes and directs the City Manager to negotiate and execute an Agreement with Contra Costa Electric for Fiber Optic Installation Services in an amount not to exceed \$254,842, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: CONS 20-489

DATE: October 6, 2020

TO: Mayor and City Council

FROM: Director of Library Services

SUBJECT

Adopt a Resolution Authorizing the City Manager to Execute an MOU with 4Cs of Alameda County and to Accept and Appropriate \$45,000 to Support the Purchase of a Hayward Public Library Bookmobile

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute a MOU (Attachment III) between the City of Hayward Public Library and 4Cs of Alameda County and authorizes acceptance and appropriation of \$45,000 from 4Cs of Alameda County to support the purchase of the Bookmobile.

SUMMARY

4Cs of Alameda County leveraged a Facilities Grant from First 5 of Alameda County, in the amount of \$45,000, to support the purchase of Hayward Public Library's Bookmobile. These grant funds will supplement the funds provided by a private donor. This is a unique collaboration between the City of Hayward Public Library and 4Cs of Alameda County to further support Hayward's Early Learning Action Plan, led by 4Cs of Alameda County.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	MOU



DATE: October 6, 2020

TO: Mayor and City Council

FROM: Director of Library Services

SUBJECT: Adopt a Resolution Authorizing the City Manager to Execute an MOU with 4Cs of Alameda County and to Accept and appropriate \$45,000 to Support the Purchase of a Hayward Public Library Bookmobile

RECOMMENDATION

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute a MOU (Attachment III) between the City of Hayward Public Library and 4Cs of Alameda County and authorizes acceptance and appropriation of \$45,000 from 4Cs of Alameda County to support the purchase of the Bookmobile.

SUMMARY

4Cs of Alameda County leveraged a Facilities Grant from First 5 of Alameda County, in the amount of \$45,000, to support the purchase of Hayward Public Library’s Bookmobile. These grant funds will supplement the funds provided by a private donor. This is a unique collaboration between the City of Hayward Public Library and 4Cs of Alameda County to further support Hayward’s Early Learning Action Plan, led by 4Cs of Alameda County.

BACKGROUND AND DISCUSSION

Over the last eight years, under the umbrella of the Hayward Promise Neighborhoods collaborative, Hayward community partners have united to convene an Early Learning Network (ELN), comprised of representatives from 4Cs of Alameda County, the Hayward Public Library, City officials, Hayward Promise Neighborhoods, Hayward Unified School District, and community members. The team is strategically comprised of key community partners that play essential roles in aligning the coordination of early learning resources and programming among Hayward’s community. The goal of ELN is to build awareness around the importance of early childhood education among all agencies in Hayward, resulting in streamlined services and better usage of available resources for Hayward families.

4Cs of Alameda County is the lead agency, as they have the proven experience in helping families with young children in Hayward find childcare and access a wide network of resources since 1972.

Utilizing ELNs framework as a community collaborative, 4Cs was awarded two grants from First 5 of Alameda County to support the creation of an Early Learning Action Plan for Hayward's community. Each community partner plays a role in moving the action plan of high alignment of early childhood resources along in Hayward.

Hayward Public Library is a trusted and central meeting place for families and has several programs and services for engaging families with young children. Hayward Unified School District contributes to the streamlined early learning vision as it relates to P-12 system. Community members are invaluable leads and voices for the family focused work.

All members of the ELN team have proven to be successful collaborators as they are also partners in the place-based initiative, Hayward Promise Neighborhood, and have worked together over the last eight years to provide cradle to career supports and services to Hayward residents living in the Jackson Triangle and South Hayward footprints.

4Cs of Alameda County leveraged a Facilities Grant from First 5 of Alameda County to support the purchase of Hayward Public Library's Bookmobile that is being funded primarily by a private donation of \$250,000. This is a unique collaboration between Hayward Public Library and 4Cs of Alameda County to help bring early learning resources into hard to reach Hayward neighborhoods.

Many Hayward residents lack transportation to the two Hayward Public Library locations and the various community resources spread throughout Hayward. The Bookmobile will act as a mobile branch bringing resources directly to underserved neighborhoods around Hayward. The goal will be for the Library to issue free library cards to Hayward residents, providing them unlimited access to the Library's electronic resource collections as well as books and AV materials. As part of the agreement with 4Cs, this Bookmobile will also provide direct access to early learning resources such as Cal Fresh, childcare referrals and tip sheets, Help Me Grow information, and childcare materials available to engage children while parents access the services they need.

On scheduled days (1 day per week), a 4Cs of Alameda County staff member will join Library staff on the Bookmobile and assist families in registering for early learning resources as well as offer curbside programming from the unit such as a toddler Play & Learn Group or healthy cooking demonstrations.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of "Support the Quality of Life." Specifically, this item relates to the implementation and sustainability of Hayward Public Library's Bookmobile project and providing accessible resources to Hayward community members in hard to reach neighborhoods.

ECONOMIC IMPACT

The Bookmobile collaboration with 4Cs of Alameda County will impact families with children (ages 0-5) by plugging them into the free services available at Hayward Public Library. The unit will help reduce the number of barriers that families face when trying to access support services, such as transportation or navigating across several institutions. The project builds on several short- and long-term actions identified in the Early Learning Action Plan such as:

- Local leaders work together across systems with a focus on early childhood: Library and 4Cs collaboration
- Families have access to high quality, basic services that proactively promote and support health, learning, and family's strengths: community listening sessions and securing funding for the Bookmobile
- Community resources for children are well-known, accessible, and easy-to-use: map availability of core early learning services in neighborhoods and distribute information on the Bookmobile

FISCAL IMPACT

The purchase of the Bookmobile unit and related equipment and accessories will be paid for in full using funds provided by a private donor and this \$45,000 Facilities Grant leveraged by 4Cs. Current Library and Maintenance staffing can provide the effort necessary to drive and maintain the unit. There are sufficient donated funds to provide the cost of insurance/liability coverage

PUBLIC CONTACT

This grant has been approved and accepted by 4Cs of Alameda County executives and Boards. The City of Hayward is a sub-recipient of funds.

NEXT STEPS

Upon Council's approval of the MOU between Hayward Public Library and 4Cs, and upon Council's approval to invoice 4Cs of Alameda County for \$45,000, the funds will be invoiced for immediately, and applied to the purchase of the Bookmobile.

Prepared by: Lindsey Vien, Education Services Manager
Brad Olson, Management Analyst II

Recommended by: Jayanti Addleman, Director of Library Services

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN MOU BETWEEN THE CITY OF HAYWARD PUBLIC LIBRARY AND 4CS OF ALAMEDA COUNTY, AND TO ACCEPT AND APPROPRIATE \$45,000 FROM 4CS OF ALAMEDA COUNTY TO SUPPORT THE PURCHASE OF THE BOOKMOBILE

WHEREAS, many Hayward residents lack transportation to the two Hayward Public Library locations and the various community resources spread throughout Hayward; and

WHEREAS, Hayward Public Library secured a private donation to help fund the purchase of a Bookmobile that will bring early learning resources into hard to reach Hayward neighborhoods; and

WHEREAS, 4Cs of Alameda County leveraged a Facilities Grant from First 5 of Alameda County to support the purchase of Hayward Public Library’s Bookmobile.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward authorizes the City Manager to execute an MOU between the City of Hayward Public Library and 4Cs of Alameda County, and to accept and appropriate \$45,000 from 4Cs of Alameda County to support the purchase of a Bookmobile.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

Memorandum of Understanding

Between

HAYWARD PUBLIC LIBRARY
(CITY OF HAYWARD)

&

COMMUNITY CHILD CARE COUNCIL OF ALAMEDA COUNTY
(4Cs)

RECOGNITION

On the 1st day of August, 2020, authorized representatives of City of Hayward Public Library (“Library”) and authorized representatives of Community Child Care Council of Alameda County (“4Cs”) made and entered into this renewal Memorandum of Understanding.

RECITALS

WHEREAS, Library offers a wide range of early childhood development and family educational services for the benefit of Hayward residents, especially families, and is ascertaining a book mobile for outreach purposes into hard to reach neighborhoods; and

WHEREAS, 4Cs offers a comprehensive range of community early childhood educational services for Hayward families and childcare providers and has leveraged funding thru First Five of Alameda County to enhance community collaboration around participation and knowledge of early childhood development; and

WHEREAS, it is the desire of both parties to enter into an agreement whereas it is with intent that 4Cs be able to utilize, with a Library staff member, the book mobile, once a week, for outreach purposes in hard to reach Hayward neighborhoods; and it is the desire of both parties to enter into a partnership whereby Library will provide for the operation and maintenance of the said book mobile, and 4Cs early childhood development outreach services; and

NOW, THEREFORE, Library and 4Cs agree as follows:

AGREEMENT

(1) Scope. It shall be the responsibility of the Library to operate and maintain the book mobile in Hayward, California. Library shall provide all staff persons, insurance, volunteers, and supplies needed to operate the aforementioned book mobile. Library shall provide 4Cs with space to store early childhood development materials and design a weekly schedule where a 4Cs staff member will ride the book mobile with a City staff member, and conduct early childhood development outreach efforts, one day per week, as agreed upon at a later date; and 4Cs will contribute \$45,000 to the purchase of the Library’s book mobile.

(2) Compensation. 4Cs hereby agrees to pay Library \$45,000 towards the purchase of the Library book mobile. The total cost of the book mobile is approximately \$200,000. Payment to the City of Hayward shall be made in one installment of \$45,000; the payment shall be paid within thirty (30) days of the execution of this agreement.

(3) Billings. Library shall submit invoice for payment to 4Cs. Library's bill shall include the following information: a brief description of services performed, the date the services were performed.

(4) Duration. The Memorandum of Understanding shall be effective the 1st day of August, 2020 and shall remain in effect up to and including the 30th day of June, 2023. Either party may cancel agreement by providing the other written notice of such action by regular U.S. Mail. Given the nature of the services rendered, a notice period of thirty (30) days must be provided.

(5) Termination. This agreement may be terminated by either party upon thirty (30) days written notice. In the event of termination, Library shall be entitled to compensation for services performed to the effective date of termination.

(6) Notices. Notices required by this agreement shall be personally delivered or mailed, postage prepaid, as follows:

To Library: Jayanti Addleman
Hayward Public Library
888 C Street
Hayward, CA 94541

To 4Cs: Renee Herzfeld
4Cs of Alameda County
22351 City Center Drive
Hayward, CA 94541

(7) Compliance with Laws. In the performance of this agreement, Library shall abide by and conform to any and all applicable laws of the United States and the State of California, and the City Charter and all ordinances of the City of Hayward.

(8) Accessibility. Book mobile shall be accessible to all persons.

(9) Additional Services. It is acknowledged by 4Cs and Library that additional services outside the scope of this MOU may be desired. For example, it may be desired to expand the scope of services at specific locations for early childhood development special programming; if additional services are desired, 4Cs and Library shall amend this MOU accordingly.

(10) Whole Agreement. This agreement has two (2) pages excluding any exhibits described herein. This agreement constitutes the entire understanding and agreement of the parties. This agreement integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof.

IN WITNESS HEREOF, the parties hereto have entered into this agreement to be executed the days and year herein above first written.

HAYWARD PUBLIC LIBRARY
City of Hayward

4Cs OF ALAMEDA COUNTY
4Cs of Alameda County

Jayanti Addleman
Director of Library Services, City of Hayward

Renee Herzfeld
Executive Director, 4Cs

Date: _____

Date: _____



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: CONS 20-490

DATE: October 6, 2020

TO: Mayor and City Council

FROM: Deputy City Manager

SUBJECT

Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Letter Agreement with 1069 B Street, LLC to Defer Rent and Parking Maintenance Payments for Cinema Place

RECOMMENDATION

That Council, in its capacity as governing board of the Hayward Successor Agency, adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute a Letter Agreement with 1069 B Street, LLC that defers rent and parking maintenance payments for the Cinema Place parcels.

SUMMARY

The Hayward Successor Agency receives ground lease rent and parking maintenance fees from the tenant of Cinema Place, 1069 B Street. Due to the COVID-19 pandemic and shelter in place orders, the ten subtenants at Cinema Place, including the movie theater and several restaurants, have experienced a significant loss in revenue. 1069 B Street, LLC has requested rent deferral for the months of April through October 2020. They will pass along rent forgiveness or deferral benefits to their subtenants in an equal or greater amount than they are receiving from the Successor Agency. The rent will be paid back in 24 installments with no interest or late fees beginning January 2021. Staff is recommending that the Successor Agency accepts the proposal and adopts the attached resolution.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution



DATE: October 6, 2020

TO: Mayor and City Council

FROM: Deputy City Manager

SUBJECT: Adopt a Resolution Authorizing the City Manager to Negotiate and Execute a Letter Agreement with 1069 B Street, LLC to Defer Rent and Parking Maintenance Payments for Cinema Place

RECOMMENDATION

That Council, in its capacity as governing board of the Hayward Successor Agency, adopts a resolution (Attachment II) authorizing the City Manager to negotiate and execute a Letter Agreement with 1069 B Street, LLC that defers rent and parking maintenance payments for the Cinema Place parcels.

SUMMARY

The Hayward Successor Agency receives ground lease rent and parking maintenance fees from the tenant of Cinema Place, 1069 B Street. Due to the COVID-19 pandemic and shelter in place orders, the ten subtenants at Cinema Place, including the movie theater and several restaurants, have experienced a significant loss in revenue. 1069 B Street, LLC has requested rent deferral for the months of April through October 2020. They will pass along rent forgiveness or deferral benefits to their subtenants in an equal or greater amount than they are receiving from the Successor Agency. The rent will be paid back in 24 installments with no interest or late fees beginning January 2021. Staff is recommending that the Successor Agency accepts the proposal and adopts the attached resolution.

BACKGROUND

In 2005, the Hayward Redevelopment Agency entered into a ground lease with the developer of the Cinema Place project. The developer then built improvements to the Cinema Place structure and adjacent parking facility, which is Municipal Lot 3. The ground lease expires in 2056.

In 2007, once the improvements to the parking structure were complete, the Redevelopment Agency and the developer entered into a Parking Lot Maintenance Agreement. Under the agreement, the tenant and Agency are required to equally share maintenance costs.

When the State of California dissolved Redevelopment Agencies, the ground lease and maintenance agreement were transferred to the Hayward Successor Agency. Around the same time, the agreements transferred from the original developer to the current lease tenant, 1069 B Street, LLC.

Per the lease agreement, 1069 B Street, LLC makes an annual base rent payment of \$50,000 to the Successor Agency. In addition, they pay approximately \$67,000 annually for parking garage maintenance, which goes to the City's General Fund. The City oversees the maintenance, including utilities, cleaning contracts, and facility updates.

DISCUSSION

There are ten subtenants at the Cinema Place property, including the downtown Movie Theater and several restaurants. Due to the COVID-19 pandemic and shelter in place orders, these businesses have experienced a significant loss of revenue.

City staff who support the Successor Agency began conversations with 1069 B Street, LLC in early April 2020 about their inability to pay base rent and maintenance fees due to loss in rent revenue from their subtenants. The Successor Agency received a formal letter on May 18, 2020 with a request for rent deferral. In addition, 1069 B Street, LLC provided a summary of their collections for April, which showed receipts at approximately 12% of normal.

In the letter, 1069 B Street, LLC requested a deferral of rent and parking lot maintenance fees for the months of April through October 2020. They also requested repayment in 24 installments with no interest or late fees beginning January 2021. 1069 B Street, LLC has agreed to pass along rent forgiveness or deferral benefits to their subtenants in an equal or greater amount than they are receiving from the Successor Agency and must be offered in an equitable manner to all subtenants. The terms may differ by tenant depending on each tenant's situation and needs. Additional terms include no subtenant evictions in compliance with the City's eviction moratorium and noticing of subtenants of the executed Letter Agreement.

Staff recommends that the Successor Agency Board accepts the proposal and approves the attached resolution authorizing the City Manager to negotiate and execute a Letter Agreement consistent with the terms outlined in this staff report. .

ECONOMIC IMPACT

The COVID-19 pandemic has created financial hardship for many Hayward businesses. The recommended action will provide these businesses relief in the form of rent deferral or forgiveness, which will increase their potential of remaining operational in the long term.

FISCAL IMPACT

The agreement outlined above reduces revenue to the Successor Agency and City of Hayward General Fund in FY20 and FY21 compared to a normal year. The total amount deferred over

seven months is \$29,166 in ground lease payments and \$39,316 in parking garage maintenance fees. The revenue payments are shown in the table below and FY19 is provided for comparison as a normal year. In FY22 and FY23 revenue will be higher than normal.

Staff has reviewed the FY21 ROPS and feels that the reduced revenue can be absorbed into the existing budget. Staff will adjust in subsequent years to account for the changes.

Ground Lease: Successor Agency Impact

Year	FY19*	FY20	FY21	FY22	FY23
Revenue payments	\$50,000	\$37,500	\$40,625	\$64,583	\$57,292
Revenue decrease/increase compared to a normal year		-\$12,500	-\$9,375	\$14,583	\$7,292

Maintenance Agreement: General Fund Impact

Year	FY19*	FY20	FY21	FY22	FY23
Revenue payments	\$67,399	\$50,549	\$54,762	\$87,057	\$77,228
Revenue decrease/increase compared to a normal year		-\$16,850	-\$12,637	\$19,658	\$9,829

STRATEGIC ROADMAP

This agenda item is an operational item. It does not directly relate to any of the six priorities outlined in the Council’s Strategic Roadmap.

NEXT STEPS

If this item is approved, staff will negotiate and execute a Letter Agreement per the terms described above.

Prepared by: Mary Thomas, Management Analyst II

Recommended by: Jennifer Ott, Deputy City Manager

Approved by:



Kelly McAdoo, City Manager

REDEVELOPMENT SUCCESSOR AGENCY OF THE CITY OF HAYWARD

RESOLUTION NO. RSA 20-

Introduced by Agency Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A LETTER AGREEMENT WITH 1069 B STREET, LLC TO DEFER RENT AND PARKING MAINTENANCE FEES DUE TO THE COVID-19 PANDEMIC

WHEREAS, the Hayward Successor Agency has a ground lease agreement with 1069 B Street, LLC for the Cinema Place property, APN 428-0066-085-00; and

WHEREAS, the Hayward Successor Agency also has a Parking Maintenance Agreement with 1069 B Street, LLC, under which both parties equally share the maintenance costs of maintaining the parking garage at C Street and Foothill Boulevard, APN 428-0066-086-00; and

WHEREAS, due to the Covid-19 pandemic and resulting shelter in place orders, 1069 B Street, LLC and its subtenants have experienced a significant loss of revenue; and

WHEREAS, on May 18, 1069 B Street, LLC formally requested to defer payments for its rent and parking maintenance fees from April through October 2020, and 1069 B Street, LLC has agreed to pass rent benefits to its subtenants in an equal or greater amount during this time.

NOW, THEREFORE, BE IT RESOLVED by the City Council, acting as the Governing Board of the Successor Agency of the City of Hayward, that the City Manager is authorized to negotiate and execute a letter agreement with 1069 B Street, LLC to defer rent and parking maintenance fee payments in accordance to the terms outlined in the accompanying staff report.

IN HAYWARD, CALIFORNIA _____, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES: Board Members:
Chair:

NOES: Board MEMBERS:

ABSTAIN: Board MEMBERS:

ABSENT: Board MEMBERS:

ATTEST: _____
Secretary of the Successor Agency
of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the Successor Agency
of the City of Hayward



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

File #: CONS 20-493

DATE: October 6, 2020

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Adopt Resolutions Authorizing the City Manager to Execute a Professional Services Agreement with Maddaus Water Management Inc., to Prepare the 2020 Urban Water Management Plan and Appropriate \$139,614

RECOMMENDATION

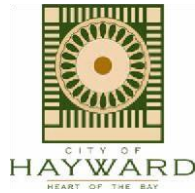
That Council adopts the attached resolutions authorizing the City Manager to execute a professional service agreement (PSA) with Maddaus Water Management Inc., (Maddaus) to prepare the 2020 Urban Water Management Plan, in an amount not to exceed \$139,614 (Attachment II) and appropriating funds in the Water System Operating Fund (Attachment III) for the Urban Water Management Plan.

SUMMARY

The Urban Water Management Planning Act requires all urban water suppliers, including Hayward, to prepare and adopt an Urban Water Management Plan (UWMP) and update it every five years. UWMP provides a framework for long-term water resource planning at the local level to ensure adequate water supplies to meet current and future demands. The 2020 UWMP must be adopted by Council and submitted to the Department of Water Resources (DWR) by July 1, 2021. The City does not have the adequate staff resources to perform this work in-house. Therefore, staff recommends that Council approve a PSA with Maddaus, in an amount not-to-exceed \$139,614, for preparation of the 2020 UWMP. Staff also recommends that the work be funded from the Water System Operating Fund and that \$139,614 be appropriated from the fund balance for this service.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution
Attachment III	Appropriation Resolution



DATE: October 6, 2020

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt Resolutions Authorizing the City Manager to Execute a Professional Services Agreement with Maddaus Water Management Inc., to Prepare the 2020 Urban Water Management Plan and Appropriate \$139,614

RECOMMENDATION

That Council adopts the attached resolutions authorizing the City Manager to execute a professional service agreement (PSA) with Maddaus Water Management Inc., (Maddaus) to prepare the 2020 Urban Water Management Plan, in an amount not to exceed \$139,614 (Attachment II) and appropriating funds in the Water System Operating Fund (Attachment III) for the Urban Water Management Plan.

SUMMARY

The Urban Water Management Planning Act requires all urban water suppliers, including Hayward, to prepare and adopt an Urban Water Management Plan (UWMP) and update it every five years. UWMP provides a framework for long-term water resource planning at the local level to ensure adequate water supplies to meet current and future demands. The 2020 UWMP must be adopted by Council and submitted to the Department of Water Resources (DWR) by July 1, 2021. The City does not have the adequate staff resources to perform this work in-house. Therefore, staff recommends that Council approve a PSA with Maddaus, in an amount not-to-exceed \$139,614, for preparation of the 2020 UWMP. Staff also recommends that the work be funded from the Water System Operating Fund and that \$139,614 be appropriated from the fund balance for this service.

BACKGROUND

In 1983, the California Legislature enacted the Urban Water Management Planning Act, as codified in the California Water Code (CWC) Section 10610 et seq. The law requires an urban water supplier providing water for municipal purposes to more than 3,000 customers or serving more than 3,000 acre-feet annually to adopt an UWMP every five years. As a public water system serving the City's residential and business community of approximately 160,000 customers plus additional commercial, industrial, and institutional customers, the City is subject to the requirements of CWC and DWR. The UWMP is intended

to provide information to DWR, stakeholders, and the public on water supplies, water use, water conservation programs, water shortage contingency planning, and water supply reliability under different planning scenarios. An UWMP is required for an urban water supplier to be eligible for DWR state grants, loans, and drought assistance.

The 2020 UWMP will build on the City's 2015 UWMP, and will be developed in accordance with requirements of CWC and the DWR Guidebook. Preparation of this document involves comprehensive review and assessment of water usage data, projected water demand, water resources, water supply reliability, and water conservation. Information includes, but is not limited to, water demand and conservation projections, system water loss report, drought risk assessment, progress report on State mandated per capita water usage targets, and update of Water Shortage Contingency Plan. The work required to comply with CWC and DWR requirements is highly specialized and the City does not currently have the staff resources to prepare an effective and compliant UWMP in-house. Staff recommends use of consultant services to ensure that the City meets all applicable requirements and deadlines.

DISCUSSION

Development of the 2020 UWMP

The 2020 UWMP will integrate information from local and regional land-use planning, regional water supply, infrastructure, and demand management projects, as well as statewide issues of concern like climate change and regulatory revisions. The document will include:

- Assessment of the reliability of water sources over a 20-year planning time frame
- Description of demand management measures and water shortage contingency plans
- Report progress toward meeting a targeted 20 percent reduction in per-capita (per-person) urban water consumption by the year 2020 and
- Information on the use and planned use of recycled water and groundwater.

The 2020 UWMP must be adopted by City Council and submitted to DWR by July 1, 2021.

Consultant Selection

Staff issued a Request for Proposals on August 14, 2020, to four qualified consulting firms to obtain professional services for preparation of the 2020 UWMP. The scope of work includes all activities necessary to comply with the requirements of the CWC and DWR, including data collection and analysis, write-ups of required sections, data presentation, preparation of draft and final reports, and development, documentation, and coordination of information with City staff, DWR, and outside agencies.

The City received two proposals, one proposal from Carollo Engineers and a joint proposal from Maddaus and EKI Environment & Water. The proposals were evaluated and ranked by a team of staff members based on qualifications, experience, proposed work plan, and

the reasonableness of the labor hours and rates. Based on this objective evaluation, staff recommends Maddaus.

Maddaus, with EKI Environment & Water as subcontractor, has proposed a knowledgeable and experienced project team, with extensive experience in UWMP and water resources planning specific to California for a diverse range of agencies, including Bay Area Water Supply & Conservation Agency, Mid-Peninsula Water District, and the City of Menlo Park. The firm demonstrated knowledge of the DWR requirements and has prepared a work plan and detailed schedule to meet the City's requirements and timeline, including sufficient time for City staff review. The number of labor hours and hourly rates are reasonable for the scope of work. The original proposed fee from Carollo was \$157,347 and from Maddaus/EKI was \$149,150.

Given the scope of work, staff has negotiated a not-to-exceed amount of \$125,586 for the basic services and \$14,028 for additional services that the City may authorize if needed, for a total not-to-exceed contract amount of \$139,614. Staff has reviewed the costs for similar work performed for other agencies and believes that the negotiated contract amount is reasonable.

ECONOMIC IMPACT

An UWMP is a primary document for local planning and action, as well as for statewide water supply-reliability data accumulation and analysis. Completion of the UWMP provides the City with a reliable water management action plan that can be confidently referred to continuously, as conditions change and management decisions arise. Reliable water supplies can strengthen economic conditions and foster sustainable growth. The cost of preparing an UWMP will not significantly impact water rates.

FISCAL IMPACT

Staff had originally planned to prepare the 2020 UWMP in-house, anticipating hiring staff and filling existing vacant positions. After further review of CWC and DWR requirements, staff determined that in view of current staffing levels, consultant services would be more efficient and suitable to complete this work. Staff is therefore requesting that a total of \$139,614 be appropriated from the Water System Operating Fund. Sufficient funds are available in the fund balance. There would be no impact on the City's General Fund.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of Combat Climate Change. This item is not specifically related to a project identified in the Strategic Roadmap. Staff is bringing forth this new item because completion of UWMP is a legal and regulatory requirement of CWC and a reliable water management action plan is a critical component in water conservation planning and sustainability. Staff will include this item in the next bi-annual update to Council on the Strategic Roadmap.

SUSTAINABILITY FEATURES

Thoughtful urban water management planning provides an opportunity for the City to integrate supplies and demands in a balanced and methodical planning platform that addresses short-term and long-term water planning conditions. A well-constructed UWMP will result in an assessment of the City's water supplies, uses and reliability, which helps ensure that the City is adequately prepared for conservation and sustainable growth.

PUBLIC CONTACT

The public will have two opportunities to comment on the City's 2020 UWMP draft: (1) at the Sustainability Committee meeting currently scheduled for May 10, 2021; and (2) at the City Council public hearing tentatively scheduled before the adoption of the final UWMP. A draft of the 2020 UWMP will be made available to the public at least 60 days prior public hearing on the plan. Interested community members can submit comments and suggest revisions affecting reliability and future investments in local water management before the adoption of the final UWMP.

NEXT STEPS

If Council approves staff's recommendation, staff will take the steps necessary to execute a PSA with Maddaus and prepare the 2020 UWMP in compliance with all mandated requirements and submittal deadlines. The following schedule has been developed for this project:

Milestone	Date
Notice to Proceed	October 13, 2020
Council Sustainability Committee Presentation	May 10, 2021
Final draft UWMP available	May 14, 2021
City Council Presentation & Public Hearing	May 25, 2021
Submission of 2020 UWMP to CA DWR	June 18, 2021

Prepared by: Elli Lo, Management Analyst

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH MADDAUS WATER MANAGEMENT INC., TO PREPARE THE 2020 URBAN WATER MANAGEMENT PLAN, IN AN AMOUNT NOT TO EXCEED \$139,614

WHEREAS, the 1983 Urban Water Management Act (Act) requires all California urban water agencies that supply more than 3,000 acre feet of water per year or have more than 3,000 connections to prepare an Urban Water Management Plan every five years; and

WHEREAS, the City of Hayward owns and operates the Hayward Water System and delivers drinking water to approximately 160,000 people, and is therefore subject to the requirements of the Act; and

WHEREAS, the City issued a Request for Proposals to four qualified firms for professional services to prepare the 2020 Urban Water Management Plan that meets the mandated California Water Code and Department of Water Resources requirements and deadlines; and

WHEREAS, the City received 2 proposals, and after objectively evaluating proposals, has determined that Maddaus Water Management Inc., possesses the necessary experience and technical skills to perform the work.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes the City Manager to execute a professional services agreement with Maddaus Water Management Inc., for preparation of the 2020 Urban Water Management Plan, in an amount not to exceed \$139,614, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-_____

Introduced by Council Member _____

RESOLUTION AUTHORIZING APPROPRIATION OF \$139,614 FROM THE WATER SYSTEM OPERATING FUND TO PREPARE THE 2020 URBAN WATER MANAGEMENT PLAN

WHEREAS, the 1983 Urban Water Management Act (Act) requires all California urban water agencies that supply more than 3,000 acre feet of water per year or have more than 3,000 connections to prepare an Urban Water Management Plan every five years; and

WHEREAS, the City of Hayward owns and operates the Hayward Water System and delivers drinking water to approximately 160,000 people, and is therefore subject to the requirements of the Act; and

WHEREAS, funding is not currently allocated to this project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes the appropriation of \$139,614 from Water System Operating Fund to prepare the 2020 Urban Water Management Plan.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



File #: LB 20-051

DATE: October 6, 2020

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT

Huntwood and Patrick Avenues Complete Streets: Adopt a Resolution Approving Complete Streets Improvements

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving Complete Streets improvements on Huntwood Avenue between Tennyson Road and Industrial Parkway and on Patrick Avenue between Tennyson Road and Schafer Road.

SUMMARY

Over the years, Council has taken several actions to develop policy that ensures the City builds streets that are safe and convenient for all modes of travel, regardless of age or ability. Focus has been set on accommodating all road users including motorists, pedestrians, bicyclists, and transit riders. The Huntwood and Patrick Avenues Complete Streets Improvements derive from such policies as the Mobility Element in the Hayward 2040 General Plan, the Complete Streets Policy adopted in 2013, the Complete Streets Strategic Initiative adopted in 2017, and the Strategic Roadmap Priority for Improving Infrastructure adopted earlier this year.

The Huntwood and Patrick Complete Streets Improvements propose the installation of a Class IV Separated Bicycle Facility made possible through implementation of a road diet on Huntwood Avenue from Tennyson Road to Industrial Parkway, and on Patrick Avenue from Tennyson Road to Schafer Road. Although the road diet reduces each direction to one lane, the lane assignments at major intersections will remain unchanged.

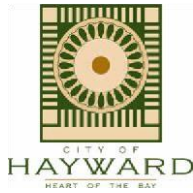
On July 20, 2020, staff introduced a proposed draft complete streets improvement concept and outreach plan for the Huntwood and Patrick Avenues Complete Streets Improvement Projects to Council. Council agreed to staff's outreach plan with an understanding that Staff would return to City Council to summarize public feedback and recommend Complete Streets Improvement Projects for approval.

Staff conducted public outreach for the complete street improvements on both corridors. Information on the complete street improvements were advertised through various social media forums - Instagram, Facebook, Twitter, and Nextdoor. The mailers and social media posts included details on how to submit feedback on the proposed project and a link to the project webpage for more information.

Based on valuable and constructive comments received from area residents and businesses, staff recommends the approval of the complete streets improvements for Huntwood Avenue from Tennyson Road to Industrial Parkway as depicted in Attachment III, and Patrick Avenue from Tennyson Road to Schafer Road as depicted in Attachment IV.

ATTACHMENTS

- | | |
|----------------|-------------------------|
| Attachment I | Staff Report |
| Attachment II | Resolution |
| Attachment III | Final Huntwood Ave TCIP |
| Attachment IV | Final Patrick Ave TCIP |



DATE: October 6, 2020

TO: Mayor and Council

FROM: Director of Public Works

SUBJECT: Huntwood and Patrick Avenues Complete Streets: Adopt a Resolution Approving Complete Streets Improvements

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving Complete Streets improvements on Huntwood Avenue between Tennyson Road and Industrial Parkway and on Patrick Avenue between Tennyson Road and Schafer Road.

SUMMARY

Over the years, Council has taken several actions to develop policy that ensures the City builds streets that are safe and convenient for all modes of travel, regardless of age or ability. Focus has been set on accommodating all road users including motorists, pedestrians, bicyclists, and transit riders. The Huntwood and Patrick Avenues Complete Streets Improvements derive from such policies as the Mobility Element in the Hayward 2040 General Plan, the Complete Streets Policy adopted in 2013, the Complete Streets Strategic Initiative adopted in 2017, and the Strategic Roadmap Priority for Improving Infrastructure adopted earlier this year.

The Huntwood and Patrick Complete Streets Improvements propose the installation of a Class IV Separated Bicycle Facility made possible through implementation of a road diet on Huntwood Avenue from Tennyson Road to Industrial Parkway, and on Patrick Avenue from Tennyson Road to Schafer Road. Although the road diet reduces each direction to one lane, the lane assignments at major intersections will remain unchanged.

On July 20, 2020, staff introduced a proposed draft complete streets improvement concept and outreach plan for the Huntwood and Patrick Avenues Complete Streets Improvement Projects to Council. Council agreed to staff's outreach plan with an understanding that staff would return to City Council to summarize public feedback and recommend Complete Streets Improvement Projects for approval.

Staff conducted public outreach for the complete street improvements on both corridors. Information on the complete street improvements were advertised through various social media forums – Instagram, Facebook, Twitter, and Nextdoor. The mailers and social media posts included details on how to submit feedback on the proposed project and a link to the project webpage for more information.

Based on valuable and constructive comments received from area residents and businesses, staff recommends the approval of the complete streets improvements for Huntwood Avenue from Tennyson Road to Industrial Parkway as depicted in Attachment III, and Patrick Avenue from Tennyson Road to Schafer Road as depicted in Attachment IV.

BACKGROUND

The Hayward 2040 General Plan includes Goal Mobility-3, to provide Complete Streets, designed to balance the diverse needs of users of the public right-of-way. The 2040 General Plan provides the long-term vision and goals that serve as the foundation for implementing transportation projects. The General Plan Guiding Principle 7 states that “Hayward residents, workers, and students should have access to an interconnected network of safe, affordable, dependable, and convenient transportation options.” Furthermore, the Mobility Element within the General Plan establishes goals and policies to improve the mobility of people and goods within and through the City. Rather than focusing on automobile transportation, the Mobility Element seeks to create a balanced transportation network that supports and encourages walking, bicycling, and transit ridership. Specifically, Goal M-4.7: Neighborhood Traffic Calming of the Local Circulation subcategory states that “the City shall continue to evaluate circulation patterns and implement appropriate traffic calming measures to prevent speeding in neighborhoods. Local access and circulation effects not only vehicular travel, but also walking, biking, and transit. Local access and circulation for all modes include managing the roadway system to improve traffic flow while protecting the neighborhoods from speeding motorists.

On March 19, 2013, the City Council adopted Resolution No. 13-027, supporting a citywide Complete Streets Policy to support design and development of a comprehensive, integrated transportation network to allow for safe, convenient travel along and across streets for all users. The Complete Streets Policy implements the California Complete Streets Act and requirements adopted by the Metropolitan Transportation Commission and Alameda County Transportation Commission that require the development of complete streets in order receive transportation infrastructure funding.

On June 20, 2017, the City Council adopted the Complete Streets Strategic Initiative. The overarching purpose of the Complete Streets Strategic Initiative is to build and maintain streets that are safe and comfortable to travel for everyone, regardless of age or ability. Three goals and corresponding objectives are identified in the Complete Streets Strategic Initiative.

For Goal 1, “prioritize safety for all modes of travel,” three objectives have been identified.

Objective 1: Reduce number of fatal and non-fatal traffic accidents in the City through engineering evaluation of major intersections and corridors.

Objective 2: Reduce speeding and aggressive driving behavior through the 4 E's - Education, Enforcement, Empowerment and Engineering.

Objective 3: Ensure that roadway construction and retrofit programs and projects include complete streets elements.

For Goal 2, "provide complete streets that balance the diverse needs of users of the public right-of-way," one objective has been identified.

Objective 1: Increase walking, biking, transit usage, carpooling, and other sustainable modes of transportation by designing and retrofitting streets to accommodate all modes.

For Goal 3, "maintain sufficient funding to provide for existing and future transportation facility and service needs, including the operation and maintenance of the transportation system," two objectives are identified.

Objective 1: Establish a sustainable funding mechanism and dedicated funding source to build a complete streets network.

Objective 2: Develop and implement best practices related to ongoing maintenance of complete streets facilities.

Complete street improvements are supported by all these aforementioned policies that Council has adopted to ensure the City builds streets that are safe and accommodates all road users for travel regardless of age or ability. There are various methods in making complete streets. One method for incorporating a complete street is implementing traffic calming measures, such as road diets or vehicular lane width narrowing. Traffic calming is a term used to describe a full range of methods to slow cars through neighborhoods and balances the uses of a street, so no one mode can dominate at the expense of another.

Complete street improvements are the combination of measures that reduce the negative effects of motor vehicle use, alter driver behavior, calm traffic, and improve conditions for non-motorized street users. The traditional road safety benefits of lower vehicle speeds include saving lives and reducing the impact and likelihood of collisions. However, speed reduction has important additional benefits that increase the quality of life for society-at-large. These benefits include a reduction in traffic noise, pollution, greenhouse gases, average fuel consumption, and barrier effects. Moreover, these effects will encourage cycling and walking that have wider health benefits for society. Speed reduction through the implementation of complete street improvements through traffic calming thus pays off in numerous ways. Road diets and vehicular lane narrowing may be implemented through cost-effective pavement striping modifications and offer potential benefits to all road users.

Hayward projects, such as the Mission Boulevard Corridor Improvement Project Phases 2 and 3 and the Main Street Complete Street set the precedent for creating complete streets through implementation of road diets and lane width narrowing. All of these projects took a complete streets approach with the goal of enhancing the road for all users.

The City's Pavement Improvement Program has traditionally provided the most cost-effective opportunities for implementing bicycle facilities and enhanced pedestrian facilities. When planning in conjunction with reconstruction or overlay projects, the change in cross section may be completed with relatively little additional costs. Complete street improvements can typically cost \$25,000 to \$40,000 per mile, depending on the number of lanes that need to be repainted; thus, traffic calming improvements can be implemented at modest additional cost if implemented in conjunction with the City's Annual Pavement Improvement Project.

In addition to the Complete Streets Policies adopted by Council, staff referenced the Bicycle Facilities Recommendations Map in the 2020 Bicycle and Pedestrian Master Plan to determine locations for new or upgraded bicycle facilities. In conjunction with community complaints relative to speeding supported by data collected by staff, two corridors stood out as opportunities to design complete streets. Huntwood Avenue (between Schafer Road and Whipple Road) and Patrick Avenue (from Tennyson Road to Schafer Road) were two corridors emanating from the FY20 Paving Program list of projects.

Furthermore, on July 20, 2020, staff introduced to Council a proposed draft complete streets improvement concept and outreach plan for the Huntwood and Patrick Avenues Complete Streets Improvement Projects. Council agreed to staff's outreach plan with an understanding that staff will return to City Council to summarize public feedback and recommend Complete Streets Improvement Projects for approval.

DISCUSSION

Huntwood Avenue between Tennyson Road and Industrial Parkway

The staff-recommended complete street improvements on Huntwood Avenue do not encompass the full limits of the FY20 Pavement Improvement Project (Schafer Road to Whipple Road). Instead, following receipt of public comments, staff limited the recommended improvements to the residential segment of Huntwood Avenue from Tennyson Road to Industrial Parkway. Feedback from the community was invaluable in helping reexamine the initially proposed project limits. The initial proposed project limits were Huntwood Avenue from Tennyson Road to Whipple Road, but due to the overwhelming opposition of a road diet in the business park area on Huntwood Avenue from Industrial Parkway to Whipple Road, proposed improvements were limited to the residential area.

Huntwood Avenue between Tennyson Road and Whipple Road is a four-lane, mostly residential minor arterial roadway with Class II Bicycle Lanes in both directions and on-street parking on both sides and provides access to Tennyson Park, residential, commercial, and industrial properties. A Class II bicycle facility is a lane on the road,

exclusively for the use of bicyclists, marked with a white line painted on the pavement to separate bicyclists from general automobile traffic. This segment of Huntwood Avenue carries an Average Daily Traffic (ADT) volume of approximately 12,000 vehicles per day and has a posted speed limit of 30 miles per hour (MPH). Based on a speed survey conducted in February 2020, the 85th percentile speed was 40 MPH between Tennyson Road and Industrial Parkway and 48 MPH between Industrial Parkway and Whipple Road. The 85th percentile is the speed that 85 percent (85%) of all vehicles are observed to travel at or below. This means that 15% of motorists are traveling at a faster speed than the 85th percentile speed. Based on the data collected and analyzed, staff determined that these segments of Huntwood Avenue will benefit from complete street measures.

Consequently, the draft 2020 Bicycle and Pedestrian Master Plan proposes a Class IV Separated Bicycle Facility on the segment of Huntwood Avenue between Tennyson Road and Whipple Road. A Class IV Separated Bicycle Facility is an on-street bicycle lane with some type of a physical vertical barrier between the bike lane and the motor vehicle lane, such as flexible bollards, planters, or curb. For example, a Class IV separated bicycle facility is installed on Mission Boulevard south of Garin Avenue for reference.

Patrick Avenue between Tennyson Road and Schafer Road

Patrick Avenue between Tennyson Road and Whipple Road is a four-lane roadway with no bicycle facilities. Patrick Avenue serves residential, religious institutions, primary grade schools, the Weekes Community Center Park, and the Weekes Branch Public Library. This segment of Patrick Avenues carries an ADT volume of approximately 11,000 vehicles per day. While the posted speed limit is 25 MPH, the 85th percentile speed based on a two-day speed survey was 37 MPH. This means that 85% of motorists are traveling at 37 MPH or slower and that 15% of motorists are traveling at a speed faster than 37 MPH. Based on the data collected and analyzed, staff determined that Patrick Avenue will benefit from complete streets measures.

Staff concurred with the complete streets improvements on Patrick Avenue recommended by the University of California at Berkeley's Safe Transportation Research and Education Center (SafeTREC). SafeTREC's recommendations came after facilitating a Community Pedestrian and Bicycle Safety Training (CPBST) with thirty-four (34) members of the public analyzing collision history and examining existing conditions. Shorter crossing distances, enhanced crosswalks, road diet, bicycle facilities, and addressing speeding concerns were all listed as recommendations by SafeTREC. Additionally, complete street improvements were presented to and supported by the South Hayward Neighborhood Collaborative (SHNC) in February 2020. The consensus from SHNC was a support for allocation of reclaimed space for other transportation modes, shorter pedestrian crossings, and address speeding – all of which are results of the implementation of a road diet. Consequently, the 2020 Bicycle and Pedestrian Master Plan proposes a Class IV Separated Bicycle Facility on Patrick Avenue from Tennyson Road to Schafer Road.

Public Feedback

Staff received several emails of valuable feedback for the Huntwood and Patrick Avenues Complete Streets Improvement Project. The most common concerns received were related to congestion, northbound queuing lengths at the Industrial Parkway and Huntwood Avenue traffic signal intersection, safety, emergency vehicle access, and ease of making left turns from side streets. Staff reviewed and studied these concerns and determined the most appropriate complete street improvements for these corridors.

Congestion was the most common concern for Huntwood and Patrick Avenues. National guidance suggests that streets with an ADT under 20,000 vehicles per day are good candidates for reductions to a single lane per direction without a feasibility study. Under most ADT conditions tested, road diets have minimal effects on vehicle capacity. The ADT for this segment of Huntwood averages around 12,000 vehicles per day and Patrick Avenue averages around 11,000 vehicles per day, both of which are well under the Federal Highway Administration's threshold of guidance. Moreover, congestion does not occur mid-block, but typically at controlled intersections, which are remaining unchanged for the most part. Crosswalks, traffic signals, and stop signs are all examples of controlled intersections. Traffic flow at controlled intersections restricts traffic flow throughout the corridor because vehicles are controlled by the stopping or yielding the right-of-way at intersections. To minimize any potential delays from the complete street improvements, staff determined it would be best to leave intersections unchanged. Excessive speeds on Huntwood and Patrick Avenues also indicate that the congestion problem does not exist where staff proposes a road diet, although we understand that some may perceive otherwise from the impacts of the controlled intersections. In fact, what is most attributed to the perception of congestion on these corridors are existing inefficient signal timing and lane assignments at intersections. Modifications at the signalized intersections on Huntwood and Patrick Avenues are not feasible without high-cost signal equipment upgrades.

Another concern from the public was northbound Huntwood Avenue queuing created in part by the coordinated signals at Industrial Parkway and Sandoval Way. As well as receiving requests for addressing speeding concerns on Huntwood, staff has previously received requests for addressing the signal timing coordination at the two intersections on Huntwood Avenue at Industrial Parkway and Sandoval Way. Based on Vehicle Turning Movement Counts and signal timing, information was collected and analyzed at the intersections of Huntwood Avenue at Industrial Parkway and Sandoval Way. It was determined that the signal equipment at these intersections are inadequate to modify the phasing sequences. Consequently, staff is applying for the Highway Safety Improvement Program (HSIP) Grant provided through CalTrans to fund the signal equipment and timing improvements at these intersections. At this time, staff will not be making any changes to the signals at the Huntwood Avenue intersections at Industrial Parkway and Sandoval Way. Striping will remain as it exists now.

Some feedback mentioned a concern of deteriorated safety. Hayward Police Department Collision Reports for a five-year period from January 2015 to December 2019 on Huntwood Avenue between Tennyson Road and Whipple Road, and Patrick Avenue between Tennyson Road and Schafer Road indicate that the majority of reported collisions were

documented as being attributed to unsafe speeds, lane changing, unsafe turning, and right-of-way violations. The recommended complete street improvements for these two corridors are designed to directly address safety concerns regarding speeding, lane changing, unsafe turning, and right-of-way violations with bicyclists and pedestrians. Thus, reducing the quantity and the severity of collisions on Huntwood Avenue and Patrick Avenue where these complete street improvements are being recommended.

Staff received feedback regarding the hinderance and delay for emergency vehicle access. Public Works staff coordinated approval of the recommended improvements from both Police and Fire Departments. The two-lane combination with center turn lane configuration is not uncommon in Hayward as these roadway configurations already exist throughout the City, such as on Huntwood Avenue between Schafer Road and Gading Road, Santa Clara Street between Elmwood Lane and El Dorado Avenue, and Skywest Drive south of A Street. The center turn lane at these locations are always available at any time for use in case of emergencies with no complaints from first responders.

Worsening the existing difficult situation of turning out of side streets was a concern for some residents. Residents cited specific trouble with making left turns out of the side streets onto the main street. However, a road diet will improve local access because motorists making left turns from the side streets will only need to scan for a break in traffic in two lanes as opposed to four lanes.

Taking feedback and the technical studies into consideration, staff recommends complete street improvements through a road diet in the residential area of Huntwood Avenue from Tennyson Road and Industrial Boulevard and on Patrick Avenue from Tennyson Road and Schafer Road. Staff recommends complete street improvements that will widen the bike lane on Huntwood Avenue and install Patrick Avenue's first bicycle facility, install a painted buffer separating the vehicular travel lane and the bicycle lane, reduce each direction to one vehicular travel lane, install a center turn lane, and maintain parking.

ECONOMIC IMPACT

Active transportation options like bicycling and walking foster economic health by creating dynamic, connected communities with a high quality of life that helps support small business development, decreases transportation and healthcare costs, and increases property values, employment, and tourism. Providing alternate modes of travel reduces single lane occupancy vehicles, reduces congestion and costs related to automobile-oriented infrastructure maintenance and construction. The overall transportation system will be more efficient; thus, reducing travel time. Moreover, the City will become a more pedestrian- and bicycle-friendly community, thus creating positive economic and health benefits and reduction of greenhouse gas emissions.

FISCAL IMPACT

There is no direct fiscal impact for the City to approve the implementation of the Huntwood and Patrick Avenues Complete Streets Improvement Projects.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of Preserve, Improve Infrastructure. Specifically, this item relates to the implementation of the following project(s):

- Project 8, Part 8b. Implement the Bicycle and Pedestrian Master Plan; Add 10 lane miles of bike lanes per year.
- Project 8, Part 8c. Implement the Bicycle and Pedestrian Master Plan; Assess Safe Routes to School
- Project 8, Part 8d. Implement the Bicycle and Pedestrian Master Plan; Implement Safe Routes to School

SUSTAINABILITY FEATURES

The action taken for this agenda report will result in supporting mobility goals established as part of the City's 2040 General Plan, providing for a balanced multi-modal system of transportation facilities and services in Hayward.

The plan will be a comprehensive effort that will guide, prioritize, and implement a network of quality bicycle and pedestrian facilities to improve mobility, connectivity, public health, physical activity, and recreational opportunities. By applying best practices, the plan will increase transportation options, reduce environmental impacts of the transportation system, and enhance the overall quality of life for residents. The goal of the project is to develop convenient transportation alternatives to motor vehicles for residents, visitors, shoppers, and commuters. The resulting reduction in single occupancy vehicles will reduce vehicle miles traveled and greenhouse gases.

PUBLIC CONTACT

Staff conducted public outreach for the improvements on both corridors. Over 3,600 postcards were mailed to addresses in the vicinity of the Huntwood Avenue project and over 3,600 postcards to addresses in the vicinity of Patrick Avenue project for a total of over 7,200 postcards sent to the public. The postcard included details on how to submit feedback on the proposed project and a link to the project webpage for more information.

Information was advertised through various social media forums – Instagram, Facebook, Twitter, and Nextdoor. The mailers and social media posts included details on how to submit feedback on the proposed project and a link to the project webpage for more information. The public was advised to email feedback for the Huntwood Avenue and Patrick Ave Traffic Calming Improvements to HuntwoodFeedback@hayward-ca.gov and PatrickFeedback@hayward-ca.gov, respectively. On August 13, 2020, information on the Traffic Calming Projects was advertised on the City's Instagram handle and Facebook page. Approximately every other day beginning August 13, 2020, tweets of the Huntwood

Avenue Traffic Calming project and the Patrick Avenue Traffic Calming project were tweeted from the City's Twitter account. On August 14, 2020, an article in the Hayward Stack was published and emailed to the approximately 70,000 subscribers on the distribution list and information was posted on Nextdoor in the corresponding neighborhoods from the City's account.

NEXT STEPS

Late September 2020	Complete repaving of Huntwood Avenue and Patrick Avenue
October 2020	Restripe Huntwood Avenue and Patrick Avenue

Prepared by: Shabnam Yari, Associate Transportation Engineer
Charmine Solla, Senior Transportation Engineer

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-

Introduced by Council Member _____

RESOLUTION FOR APPROVAL OF THE HUNTWOOD AND PATRICK AVENUES
TRAFFIC CALMING PAVEMENT STRIPING PLANS.

WHEREAS, the proposed Huntwood and Patrick Traffic Calming Pavement Striping Improvement would implement traffic calming measures by reallocating the roadway for transportation equity through pavement striping on the two-mile stretch of Huntwood Avenue between Tennyson Road and Industrial Parkway and on the less than three-quarter-mile stretch of Patrick Avenue between Tennyson Road and Schafer Road.; and

WHEREAS, this improvement can be implemented at no additional cost if implemented in conjunction with the FY20 Pavement Improvement Project which is repaving Huntwood Avenue and Patrick Avenue and replacing the existing striping; and

WHEREAS, on July 20, 2020, Staff introduced a proposed draft traffic calming striping concept and outreach plan for the Huntwood Avenue Traffic Calming Improvement project and mention of similar efforts for Patrick Avenue, a corridor that was recently added to the FY20 Pavement Improvement Project; and

WHEREAS, Council agreed to Staff's outreach concept with an understanding that Staff will return to City Council to present a summary of feedback received and Final Pavement Striping Plan for approval; and

WHEREAS, Staff determined that the best method to address speeding, reduce frequency and severity of collisions, and create a more equitable transportation network at no additional cost is to implement the proposed traffic calming measures in the Final Pavement Striping Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Final Striping Plans for Huntwood Avenue between Tennyson Road and Industrial Parkway in Attachment III and Patrick Avenue for Tennyson Road and Schafer Road in Attachment IV are approved for implementation through the FY20 Pavement Improvement Project.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

Attachment III - Final Huntwood Avenue Traffic Calming Improvement Plan

TENNYSON ROAD



HUNTWOOD AVENUE
1"=30'



PANJON STREET

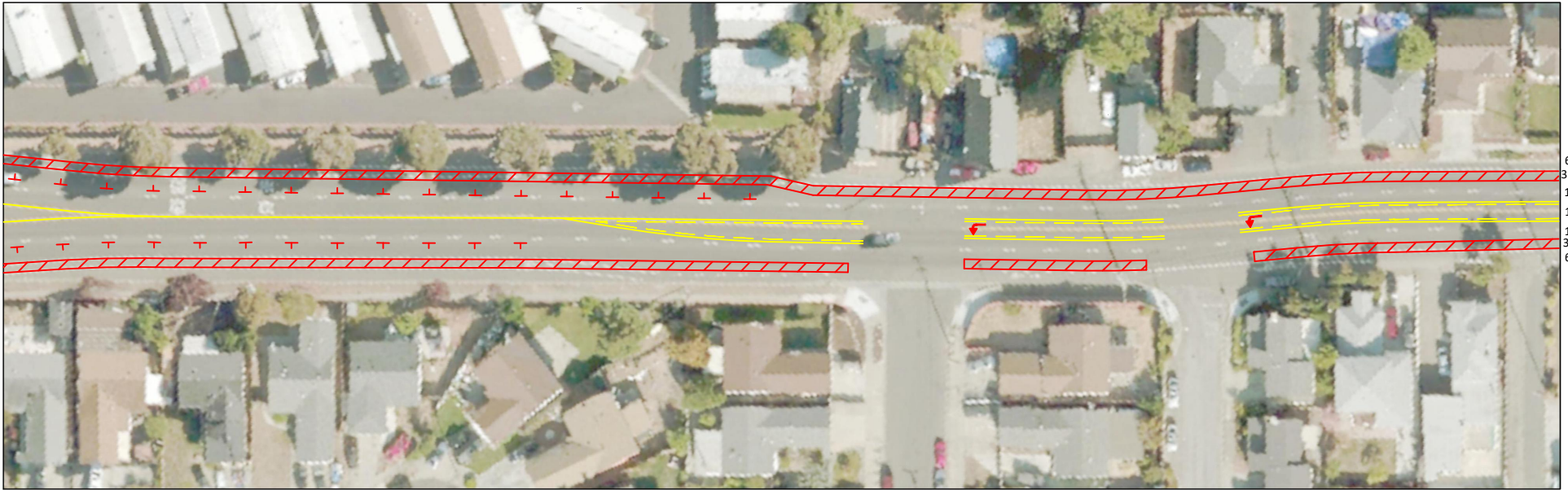
MARS AVENUE



HUNTWOOD AVENUE
1"=30'



CELIA STREET

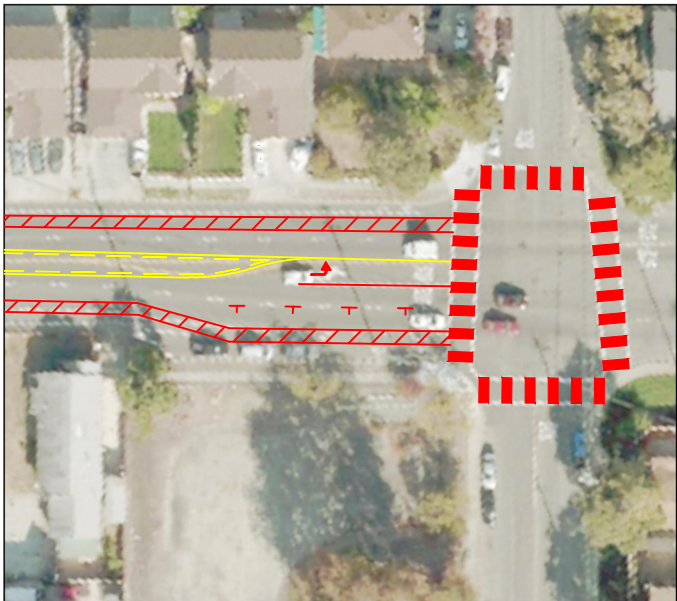


HUNTWOOD AVENUE
1"=30'



COOPER WAY

SILVERDELL WAY



FOLSOM AVENUE

HUNTWOOD AVENUE
1"=30'



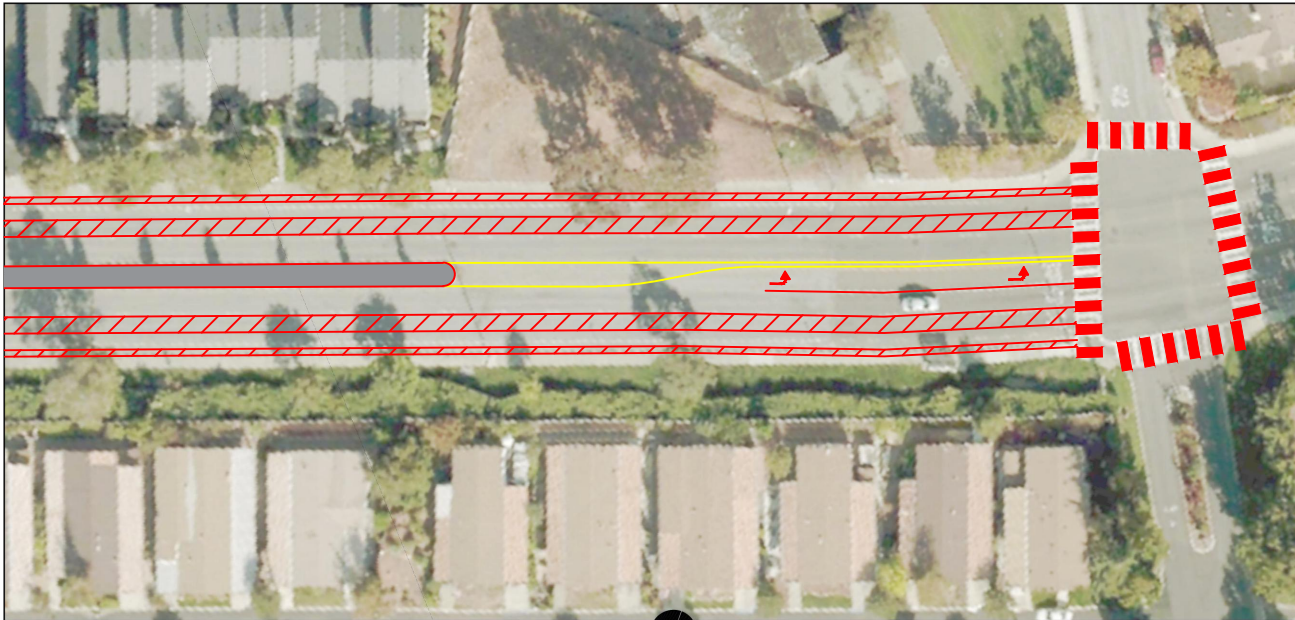
FOLSOM AVENUE



HUNTWOOD AVENUE
1"=30'



3'
7'
7'
12'
12'
7'
7'
3'



HUNTWOOD AVENUE
1"=30'

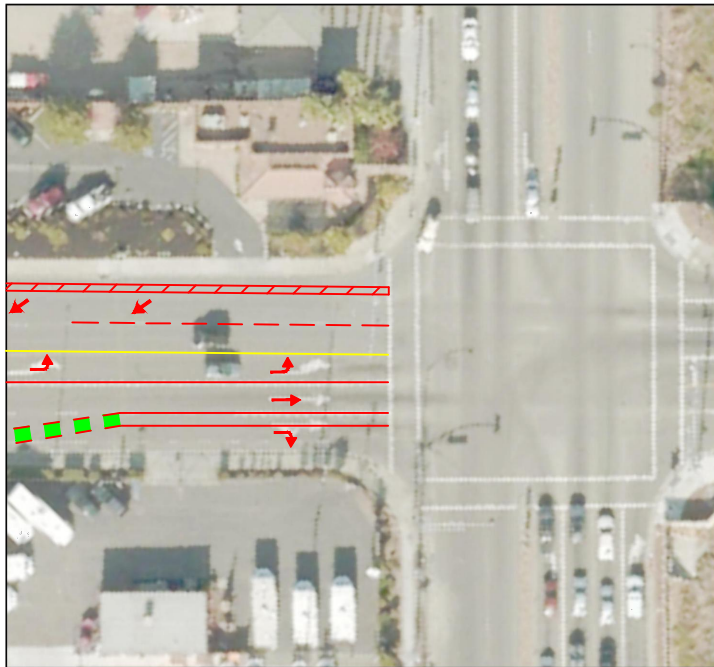


NEW ENGLAND VILLAGE DRIVE



HUNTWOOD AVENUE

1"=30'

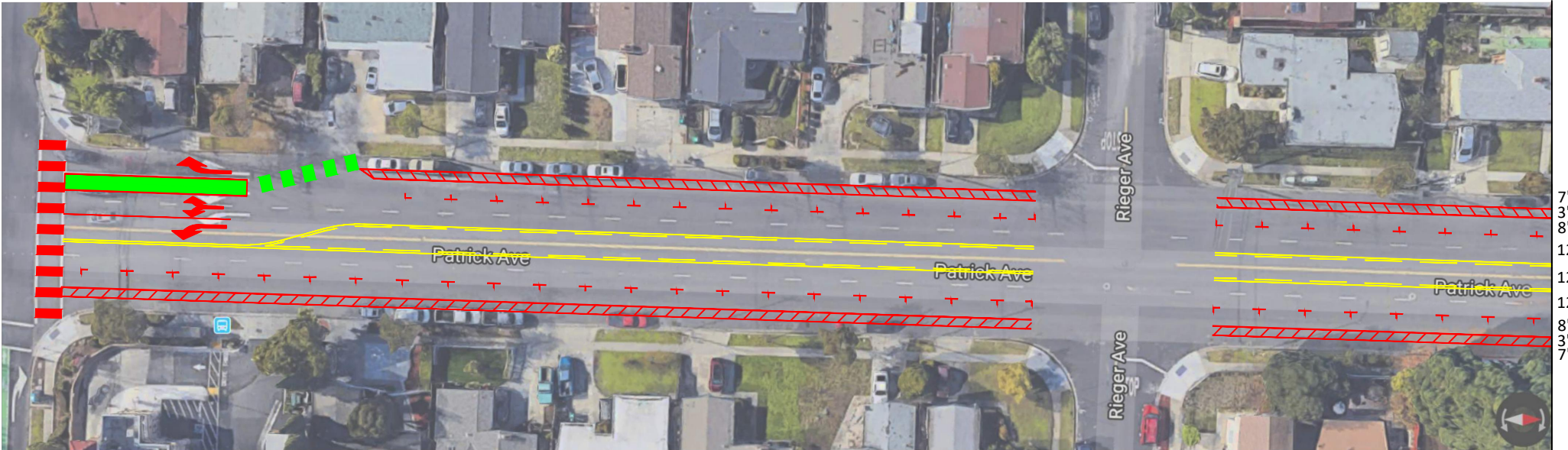


HUNTWOOD AVENUE

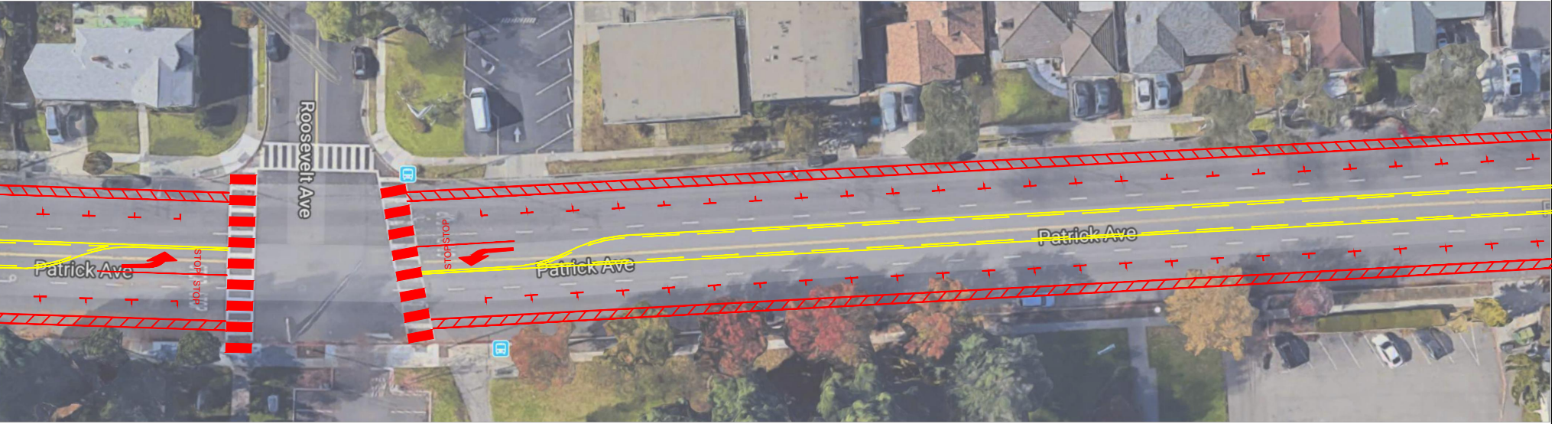
1"=30'



Attachment IV - Final Patrick Avenue Traffic Calming Improvement Plan

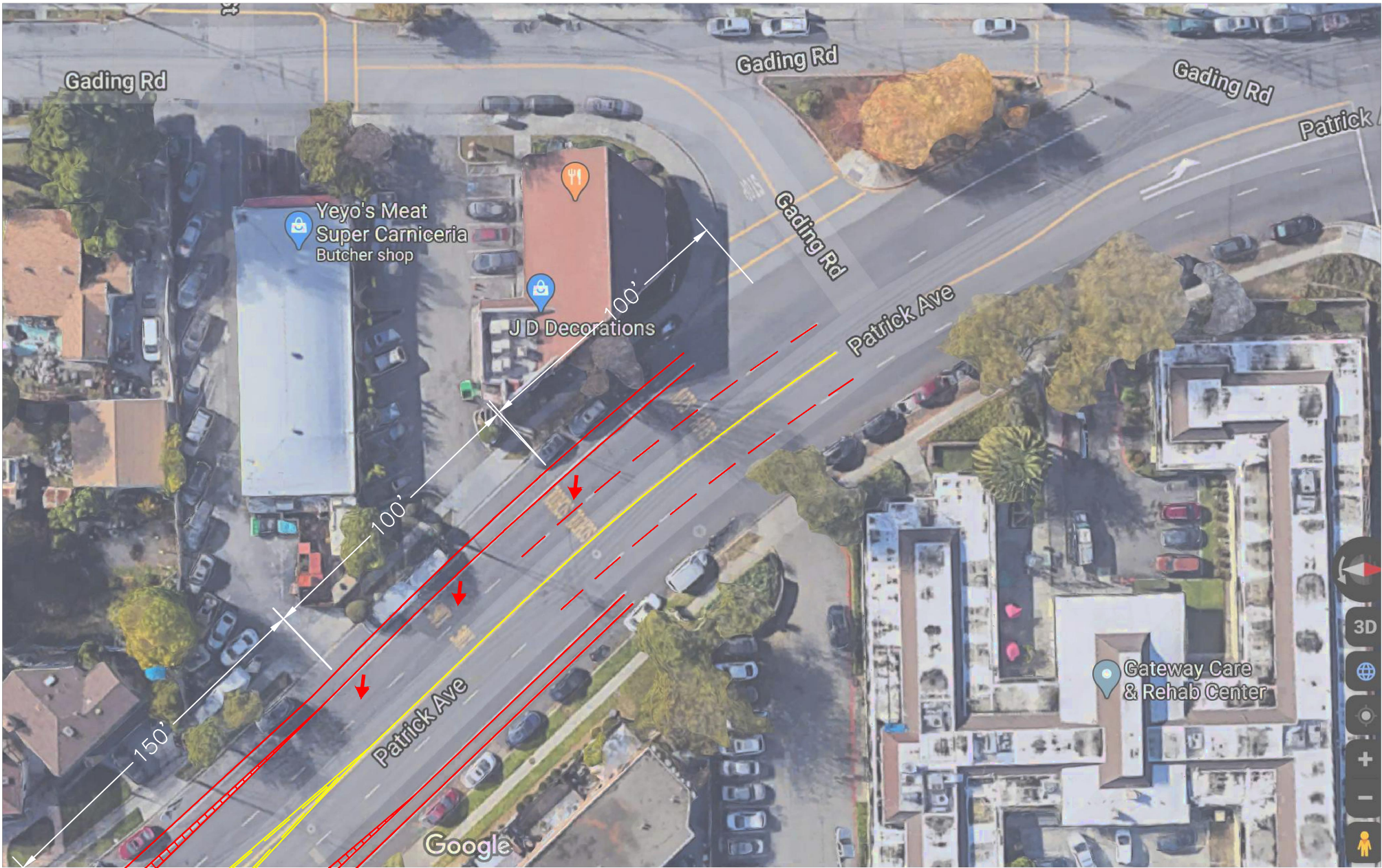


7'
3'
8'
12'
12'
12'
8'
3'
7'









Gading Rd

Gading Rd

Gading Rd

Patrick

Yeyo's Meat
Super Carniceria
Butcher shop

J D Decorations

Patrick Ave

Gateway Care
& Rehab Center

Google

150'

100'

100'

3D

+

-

