

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 ENTER AN EXCLUSIVE NEGOTIATING
RIGHTS AGREEMENT WITH RESOURCES FOR COMMUNITY DEVELOPMENT, A
CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, FOR THE
PROPOSED DEVELOPMENT OF THE AFFORDABLE HOUSING SEGMENT OF
PARCEL GROUP 8 GENERALLY SITUATED ALONG GROVE WAY BETWEEN
BRIDGE COURT AND FOOTHILL BOULEVARD

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, over the last two years, the City has been working with the community to develop a vision and approach to development for Parcel Group 8, including numerous community, neighborhood, and stakeholder outreach efforts; and

WHEREAS, based on this extensive community and stakeholder feedback, staff developed an approach to development of Parcel Group 8, which includes obtaining Caltrans' authorization to subdivide Parcel Group 8 into three major segments and move forward with three distinct community and development processes, including an affordable housing segment, an open space segment, and market rate middle segment; and

WHEREAS, City staff recommend entering into an Exclusive Negotiating Rights Agreement (ENRA) with Resources for Community Development (RCD), a highly qualified nonprofit affordable housing developer, to develop an affordable housing project on the Affordable Housing Segment of Parcel Group 8; and

WHEREAS, RCD has successfully developed numerous projects throughout the East Bay, including affordable housing projects of varying sizes and serving distinct populations in San Leandro, Walnut Creek, El Cerrito, Alameda and Oakland; and

WHEREAS, a summary of the key terms of the proposed ENRA with the goal of negotiating a mutually agreeable Disposition and Development Agreement (DDA) and obtaining all relevant planning approvals are described in detail in the accompanying Staff Report and include the following terms: negotiating period; deposits and city costs; anticipated entitlements; community outreach; and the project proposal, including exploring three potential scenarios for affordable housing for the portion of the property in Alameda County, which is home to existing residents: a community land trust, rental rehabilitation, and new construction option; and

WHEREAS, the approval of this Resolution and the authorization to negotiate an ENRA in itself does not obligate either party to acquire or convey any property, does not grant RCD the right to develop the properties for any use, and does not constitute the approval of a project as defined by the California Environmental Quality Act pursuant to California Public Resources Code Sections 21000 et seq. and California Code of Regulations Sections 15000 et seq. ("CEQA").

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 ENRA with RCD 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