

CITY COUNCIL MEETING

AUGUST 19, 2025

**DOCUMENTS RECEIVED
AFTER PUBLISHED
AGENDA**

Item # 5

CONS 25-354

**Second Amendment to the
Disposition, Development, &
Loan Agreement with RCD
GP IV, LLC and Parcel Group
8, L.P.**

From: Jayanti Addleman
Sent: Tuesday, August 19, 2025 9:18 AM
To: List-Mayor-Council
Subject: Prep for item 5 tomorrow - Bridget Ct residents

Good Morning Mayor and City Council members:

Here is an update from Director Buizer re: item #5 on the agenda this evening.

Staff wanted to raise some awareness related to Consent Calendar Item #5 on tonight's agenda. Staff anticipates the tenants of Bridge Court will attend. It is unclear if they will ask to speak and pull the item off consent or are merely attending to see what decision City Council makes. However, staff did want to alert Council of a more recent sewer issue that staff is actively seeking a resolution to, but they may raise as a concern. Staff became aware of a sewer issue at the property two weeks ago. At that time, the property management company had their maintenance staff provide a very temporary fix and provided a quote for two options toward resolution. Option 1 involves a full sewer lateral replacement at a cost of \$85,000 and Option 2 involves only sewer lateral branch repair at a cost of \$35,000. In accordance with our agreement with the management company, we asked them for an alternative bid given the costs and impending actions to incentivize moving the tenants from this site to better housing. The second bid came in higher than the first with a bid of \$97,000 for the sewer lateral replacement and \$48,000 for the sewer lateral branch repair. Following this, the City asked our sewer contractor to evaluate the site and are awaiting their proposal. The contractor did share that part of their proposal will include a monthly maintenance program at an estimated \$3800/month. This may solve the issue at a rate cheaper than the other proposals and can flex depending on the number of months the units remain occupied without over investing in the property that will ultimately be redeveloped. Staff is working expeditiously to make a fiscally responsible decision while also balancing the health and safety of the tenants at this property.

Thank you so much and please let me or Director Buizer know if you have any questions.

Jayanti

Jayanti Addleman (she/they)
Interim City Manager
City of Hayward



For scheduling inquiries, please contact Tia Van De Vooren

Item # 9

PH 25-037

**Tree
Preservation
Ordinance**

From: junkintofunk
Sent: Tuesday, August 19, 2025 11:58 AM
To: List-Mayor-Council ; junkintofunk
Subject: TREE ORDINANCE COMMENTS WITH ATTACHMENT

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

Dear City Council,

I have a few concerns relating to the tree ordinance and its impact on our environment and how it aligns with the City of Hayward EJ Element, General Plan Looking Forward 2040, the Sustainability plan and goals, 100K Trees plan and Climate Action Plan.

1 I believe no action can be taken until there is a full discussion of the plan at the Infrastructure and Airport Committee . It seems like this should have gone to the committee first.

2 I believe the heritage tree determination is faulty. Trees that provide habitat to endangered or threatened species should always be preserved and that should be a criteria that should be a sole criteria that needs to be met.

Heritage Trees Determination. A tree is considered a Heritage Tree when the City Landscape Architect finds **at least two** of the following criteria are met: a. Native Tree: The tree is a native species of Hayward, as listed in Section 10- 15.14. **b. Provides Essential Habitat: The tree currently or commonly provides habitat for any state or federally listed endangered or threatened species as identified by the projects Certified Arborist. Note that such trees may be protected through other local, state, or federal regulations.** c. Horticulture Significance: The tree is rare or significant in the horticultural development of Hayward. d. Historical or Cultural Significance: The tree has a documented historical or cultural connection to the City of Hayward including original plantings or coincides with historical events in the City.

3 The tree replacement requirements are woefully inadequate. Replacing mature trees that sequester great amounts of carbon with 24 inch or 36 inch trees is not ok. What are the metrics here? How many 24-36 inch trees do the work of one mature tree? Scientific analysis says 35 or more 36 inch trees do the work of one 50 foot tall tree.

4 What are the FAA **requirements** for tree removal? And runway expansion? Requirements? NOT recommendations or encouragements. Taking down all the trees that protect the homes in San Lorenzo from runway issues is not protecting or safeguarding the people in the homes... people in their own homes with their families, not flying in planes. I believe the safety of families in their own homes takes precedence over people risking their safety in a plane.

5 Why is the runway expansion tucked into this document? I believe it needs to be removed as it is a much bigger issue. The map in this document looks like a new map and the expansion area looks significantly different than what the public has seen and certainly different than what is on the City of Hayward website.

6 In lieu fees are not the greatest policy. We must replace trees with trees, not money. And the trees should be in the same neighborhood, not somewhere else in the City. Creating more of a heat island effect in the A Street corridor is not fair to the disadvantaged families that live there. Taking in lieu fees and spending them for parks in the hills where heat islands do not exist is not ok. We must always consider the community members that need our help the most.

7 We should only be planting CA natives suitable for our changing climate. We must choose plants and trees that are pollinator friendly, provide habitat, and are drought resistant. I am including an attachment of a tree list used by the City of San Leandro.

Thank you for considering my thoughts and comments. Our communities and the planet appreciate it.

https://docs.google.com/spreadsheets/d/1_U1vUWQzTX4MpofLjyhMeVlfODK0KFwBdA7KKvcDJP/edit?usp=sharing

From: Liz Dennis

Sent: Tuesday, August 19, 2025 2:59 PM

To: List-Mayor-Council

Subject: Tree Ordinance/ Skywest

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

8/19/25

Mayor Mark Salinas,

Skywest is vital to the Health community!

A strong buffer against Airport pollution! Through the mature trees, pollution is absorbed, and stormwater is mitigated in a natural way keeping runoff to minimal. Trees also help bird population, which help with curbing the Mosquitoes population. As the West Nile virus has been detected and a concern in the bay area.

6 trees in Skywest storm water runoff avoided 63,028.31 gallons!

Go to [Mytree.itreetools.org](https://mytree.itreetools.org)

Ms. Dennis

Subject:

RE: TREES CITY COUNCIL COMMENTS AUG 19 2025

On Aug 19, 2025, at 11:54 AM, junkintofunk <trashsista@gmail.com> wrote:

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Dear City Council,

I have a few concerns relating to the tree ordinance and its impact on our environment and how it aligns with the City of Hayward EJ Element, General Plan Looking Forward 2040, the Sustainability plan and goals, 100K Trees plan and Climate Action Plan.

1 I believe no action can be taken until there is a full discussion of the plan at the Infrastructure and Airport Committee . It seems like this should have gone to the committee first.

Staff Response: The Tree Preservation Ordinance only refers to the Airport in Exemption Section 10-15.26 of the draft Ordinance; allowing a permit exemption for trees that may need to be removed or trimmed that are encroaching into the flight safety zones established by the FAA. Because the FAA regulations already exist and staff is not proposing a new policy that would conflict with this FAA rule, review by the Infrastructure and Airport Committee is not necessary. The Airport Safety Zone Map and Airport plant list, which was part of this project and included in the Appendix as a reference manual is not part of the Ordinance being considered by Council and any future changes to this plant list can be made without necessitating an Ordinance revision.

2 I believe the heritage tree determination is faulty. Trees that provide habitat to endangered or threatened species should always be preserved and that should be a criteria that should be a sole criteria that needs to be met.

Heritage Trees Determination. A tree is considered a Heritage Tree when the City Landscape Architect finds **at least two** of the following criteria are met: a. Native Tree: The tree is a native species of Hayward, as listed in Section 10- 15.14. **b. Provides Essential Habitat: The tree currently or commonly provides habitat for any state or federally listed endangered or threatened species as identified by the projects Certified Arborist. Note that such trees may be protected through other local, state, or federal regulations.** c. Horticulture Significance: The tree is rare or significant in the horticultural development of Hayward. d. Historical or Cultural Significance: The tree has a documented historical or cultural connection to the City of Hayward including original plantings or coincides with historical events in the City.

Staff Response: Endangered species are already protected by both Federal and State law along with their habitat, which has no bearing if the habitat is a Heritage tree or not. The criteria used to establish a Heritage tree are to support and provide insight into why a tree is designated a Heritage Tree. Having one criterion focused on endangered species would not provide enough criteria to designate a Heritage Tree.

3 The tree replacement requirements are woefully inadequate. Replacing mature trees that sequester great amounts of carbon with 24 inch or 36 inch trees is not ok. What are the metrics here? How many 24-36 inch trees do the work of one mature tree? Scientific analysis says 35 or more 36 inch trees do the work of one 50 foot tall tree.

Staff Response: When 2 or fewer protected trees are removed each removed tree is to be replaced with (2) 24" box trees for residential projects and (2) 36" box trees for commercial projects. This ensures that the removed trees are mitigated and is economically feasible to do so. Smaller box trees grow at a greater rate than larger boxed trees, reducing the time for a tree to mature, which is why 24" and 36" box trees are only required. The replacement ratio of 2:1 also accelerates the replacement of the loss tree with 2 trees replacing 1. Most residential properties have limited space for mitigation making the 2:1 ratio feasible to achieve. If not feasible to replace the removed trees on site due to limited space the in-lieu fee can be utilized for planting the replacement trees off site. If three or more protected trees are to be removed, they are mitigated based on the appraised value of the trees, which is a much greater mitigation requirement and large financial impact to the property owner thus, promoting the removal of less trees.

4 What are the FAA **requirements** for tree removal? And runway expansion? Requirements? NOT recommendations or encouragements. Taking down all the trees that protect the homes in San Lorenzo from runway issues is not protecting or safeguarding the people in the homes... people in their own homes with their families, not flying in planes. I believe the safety of families in their own homes takes precedence over people risking their safety in a plane.

Staff Response: Under Title 14 CFR Part 77 of the Federal Aviation Administration "FAA" Regulations, all objects, including trees, are considered potential obstructions if they penetrate any of the imaginary surfaces established around airports. If, based on the results of an annual airport inspection by the California Department of Aviation "Caltrans" existing trees already penetrate protected airspace, property owners shall be required to trim or remove the potential obstruction. This is not a new regulation being proposed as part of the Tree Ordinance Update but rather intended to highlight FAA and Caltrans requirements that already exist.

5 Why is the runway expansion tucked into this document? I believe it needs to be removed as it is a much bigger issue. The map in this document looks like a new map and the expansion area looks significantly different than what the public has seen and certainly different than what is on the City of Hayward website.

Staff Response: The City is not proposing a runway expansion. The map that is shown in the accompanying Appendix is to reflect Airport Safety Zones, which already exist and are required to be maintained by the Federal Aviation Administration. Further, according to FAA Grant Assurances, a public hearing is mandatory in the event a project involves an airport runway, or a major runway extension.

6 In lieu fees are not the greatest policy. We must replace trees with trees, not money. And the trees should be in the same neighborhood, not somewhere else in the City. Creating more of a heat island effect in the A Street corridor is not fair to the disadvantaged families that live there. Taking in lieu fees and spending them for parks in the hills where heat islands do not exist is not ok. We must always consider the community members that need our help the most.

Staff Response: Not all locations have enough space for planting all the required replacement trees. When this is the case, an in-lieu fee can be paid based upon the appraised value of the removed trees. Those funds are transferred to the tree maintenance department for the purchase, planting, and care of new street trees in the city focusing on neighborhoods with limited canopy coverage. In early 2025, staff is planning to present various options to the City Council, will determine how the in-lieu fees will ultimately be used to reach City of Hayward's goals for increased tree planting and improved tree canopy coverage.

7 We should only be planting CA natives suitable for our changing climate. We must choose plants and trees that are pollinator friendly, provide habitat, and are drought resistant. I am including an attachment of a tree list used by the City of San Leandro.

Staff Response: Not all native trees are suited for all planting locations. Having a diverse palette of native and non-native drought tolerant trees guards against the loss of a tree species that may be susceptible to new diseases. Limiting the tree palette to only native trees would create increased maintenance costs and would limit the urban forest from surviving future pests and disease issues. The recommended tree selection list incorporates both native and non-native climate resilient trees that are appropriate to the City of Hayward and various planting conditions.

Thank you for considering my thoughts and comments. Our communities and the planet appreciate it.

Mimi Dean

Tree Protection Ordinance - Community Comments

Crystal Tenorio

Hello Hayward Architects and Tree Preservation folks,

I love and have loved all the trees in Hayward all my life. Do you think its possible to plant more along mission which seems to be a tree desert ?

I just want trees everywhere that are California native and self sustainable of course.

Appreciate you.

Also, can we have more California native plants in the lane dividers? Whenever I see those lily of the Niles they get so big and ugly and in the way, it makes me feel like I'm at a shopping mall.

Thank you again for all your hard work.

Sincerely,

Crystal

Greg Onstad

Hi,

There needs to be a removal condition specific to maintaining and preserving insurance policies when an insurance carrier deems the property uninsurable because of tree overhang of any structure on private land. The land owner should not be forced to find other insurance which could end up costing thousands more per year. There also needs to be a provision allowing tree removal when the tree is endangering a private structure foundation or service line above or below ground.

That's my two cents. Thank you for your time.

Jonathan Zimmerman <zimbobaby@hotmail.com>

I am a Hayward resident and property owner. I would NOT be in favor of the proposed ordinance. I deem the proposed ordinance to be overreaching what private property owners do on/with their property. I agree with the intent of preserving native trees, and I understand how an ordinance is essential for street-facing trees. However, many land owners have other intended uses for their property, e.g., vegetable growth or specialty

plants. In addition, costs for tree care would fall on the homeowners, which may or may not be within their means.

I would be in favor of a compromise. For example, encouraging the sustainment of native trees through yearly pruning services provided by the City of Hayward (but ONLY for native trees), or a property tax discount for properties where native trees are being maintained.

Thank you,

Jonathan Zimmerman

Gladys Encinas

I am not able to attend the meeting. However I want our trees to be conserved and maintained.

Thank you,

Gladys Encinas

Winnie L

Would love to see trees that are removed in neighborhoods for whatever reason, be replaced. So many people cover their hellstrip with concrete or don't have a tree anymore and it's sad to see, not to mention getting so hot. The trees that hayward also installs are not native. Lots of crepe mertles.

Katherine Sullivan

Thank you for the information about the upcoming ordinance. I know I'm not alone when I say how beloved our trees are. Thank you for protecting them and caring for them. The birds and squirrels would thank you if they could. Trees are not only beautiful but they provide shelter, shade and oxygen. I congratulate our officials who do their best to care for and protect them. Thank you again for your hard work and time in this matter.

In high regards

Katherine Sullivan

Laura Padilla

Hello

I just read your tree ordinance document.

We have a tree on Bluefield lane that doesn't follow the tree ordinance.

It's a Myrtle tree and when it blooms tons flowers drop on the street And blow down the street and in House gutters. I just want to make sure that no Myrtle trees will never be allowed again on the street since they create a great mess?

Also, that trees are no taller than 2 feet below from the nearest telephone or electrical wire. Again, the Myrtle tree on bluefield lane looks like it's not following this rule.

Phillip Jones

To the Hayward Planning Commission:

The so-called Hayward Tree Preservation Ordinance effectively makes it impossible for homeowners to remove, replace, or to even prune 8" or larger trees on their own properties. Homeowners who conscientiously want to make their properties more fire-resilient, to reduce the chance and the devastating consequences of wild-fires, need to jump over an arduous series of lengthy and costly bureaucratic hurdles before their tree-removal application will even be considered. Only dead or close to dying trees can be removed under this ordinance. It discourages all Hayward homeowners from doing the right thing to reduce wild-fire risks in their neighborhoods. **Reducing wildfire risks is something that should be encouraged and not discouraged by the city.**

What right does this commission have to prevent property owners from replacing or even pruning trees on their own land? This commission seems to believe the preservation of trees takes precedence over the lives and safety of Hayward residents. We have only to look at what happened in the recent Pacific Palisades fire to see the potential consequences of ordinances such as this to our Hayward community. It is high time this planning commission recognize the extreme climate condition we are currently under and update or remove these antiquated ordinances before a disaster strikes our community.

Respectfully,

Phillip Jones

Public Comment

From: [Sandra Frost](#)
To: [List-Mayor-Council](#)
Cc: [CityClerk](#)
Subject: Public comments council meeting 8/19/25
Date: Monday, August 18, 2025 1:50:57 PM

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

Honorable Mayor and City Council:

I would like to comment on governance attention to sea level rise and flood zone adaptations necessary to prevent harm to fragile ecosystems and constructed areas, particularly the built environment of developed neighborhoods near the bay shore.

This past Sunday 8/17, at the Castro Valley Library, Allison Chan with Save the Bay was guest speaker. She gave an excellent presentation about methods to curtail or minimize flood damage to low-lying areas of the bay particularly projects in the East Bay and near Hayward.

It appears that Hayward has an opportunity and obligation to pay close attention to the marshland and vernal pools opposite the artificial levee, on the far western edge of Skywest. It is of utmost importance that these areas and major acreage of Skywest be designated and protected as open natural space to absorb flooding and buffer airborne particulates from transit corridors including the Executive Airport.

Our advocates request your thoughtful consideration for preserving this precious open space as natural landscape.

We also request consideration of focused mitigation to include extension of the First Mile levee along the Hayward shoreline, as accomplished with the successful Oro Loma levee project for San Lorenzo.

We believe a contiguous green swath and natural buffer area is possible from Kennedy Park connecting San Lorenzo Community Park and the Bay Trail, to include majority of the acreage of Skywest.

We request that the City of Hayward prioritize these actions to protect our environment in advance of extreme flooding episodes. Concretization, pavement and built structures will bring floodwaters higher into neighborhoods and cause catastrophic damage.

Sandra Frost
Save Open Space: Skywest campaign
Resident, South Hayward