

ORDINANCE NO. 17-\_\_\_\_\_

AN ORDINANCE AUTHORIZING EXECUTION OF AN  
AMENDMENT TO THE BLUE ROCK COUNTRY CLUB PROJECT  
DEVELOPMENT AGREEMENT BY EXTENDING ITS TERM AN  
ADDITIONAL FIVE YEARS TO FEBRUARY 23, 2023

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Authorization to Execute Amendment to Development Agreement. Based on the findings set forth in Resolution No. 17-\_\_\_, as well as a review of the proposed Amendment to the Blue Rock County Club Project Development Agreement (“Development Agreement”) relating to the Stonebrae Country Club project as considered at a duly noticed public hearing by the City Council at its May 23, 2017 meeting, the City Council hereby takes the following actions:

A. The City Manager is authorized to execute the Amendment to Development Agreement, regarding the Stonebrae Country Club project, substantially in the form of the proposed Amendment to Development Agreement presented to the City Council on May 23, 2017, together with such minor clarifying changes as may be necessary upon approval by the City Manager after consultation with the City Attorney.

B. The City Manager is also authorized to take such further actions which she deems necessary and proper to carry out and or monitor performance of the terms of the executed Amendment to the Development Agreement pursuant to applicable law and regulation. This authority includes but is not limited to execution of any further agreement which the City Manager deems necessary to implement the Amendment to Development Agreement (“Implementation Agreement”).

Section 2. Severance. Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, if the remainder of the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 3. Effective Date. This ordinance shall become effective upon adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward,  
held the 23<sup>rd</sup> day of May, 2017, by Council Member \_\_\_\_\_.

ADOPTED at a regular meeting of the City Council of the City of Hayward held  
the \_\_\_\_ day of June, 2017, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward