

**CITY COUNCIL MEETING
TUESDAY, JANUARY 26, 2016**

DOCUMENTS RECEIVED AFTER PUBLISHED AGENDA



CITY OF
HAYWARD
HEART OF THE BAY

DATE: January 26, 2016
TO: Mayor and City Council
FROM: City Manager
SUBJECT: Correction to Resolution approving water service area re-arrangement with East Bay Municipal Utility District regarding service to specific parcels within the City of Hayward city limits

The attached document replaces Attachment I of item 5 (CONS 16-040) on the January 26, 2016 City Council Agenda. After the publication of the agenda packet for the January 26, 2016 meeting, East Bay Municipal Utility District requested a last minute change to the Resolution. Staff concurs with the request. The attached Resolution reflects the requested change.

Prepared and Recommended by: Fran David, City Manager

Approved by:



Fran David, City Manager

HAYWARD CITY COUNCIL

RESOLUTION NO. 16-

Introduced by Council Member _____

RESOLUTION APPROVING WATER SERVICE AREA RE-ARRANGEMENT WITH EAST BAY MUNICIPAL UTILITY DISTRICT REGARDING SERVICE TO SPECIFIC PARCELS WITHIN THE CITY OF HAYWARD CITY LIMITS

WHEREAS, the City of Hayward provides water service to properties located within the Hayward City limits and East Bay Municipal Utility District (EBMUD) provides water service to properties in the EBMUD service area, located in municipalities to the north and east of Hayward; and

WHEREAS, the EBMUD service area includes a number of parcels located within the Hayward city limits; and

WHEREAS, utility districts may serve properties within their official service area, and cities are likewise entitled to serve properties within their corporate boundaries; and

WHEREAS, cities and utility districts are encouraged by the Local Agency Formation Commission to find mutually agreeable solutions when properties may be served by either the utility district or the city in which the properties are located; and

WHEREAS, three properties for which development proposals have been initiated or anticipated are located within the City of Hayward limits and are fully or partially in the EBMUD service area; and

WHEREAS, the City of Hayward and EBMUD staffs have reached agreement on providing water service to the three affected properties;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the following properties will receive water service from the City of Hayward: 1818 Hill Avenue and 22788 Templeton Street and the parcel on the southwest corner of 2nd Street and Walpert Street, including the City-owned parcels.

BE IT FURTHER RESOLVED that the following properties will receive water service from the East Bay Municipal Utility District: 22301 Foothill Boulevard and 1155 Hazel Avenue (old Mervyns property).

BE IT FURTHER RESOLVED that City and East Bay Municipal Utility District agree that the District's water service area boundaries within the City will be further adjusted as necessary to exclude from the District's service area the properties that are currently served by the City and are either entirely or partially within the District service area and to include the properties that are currently served by the District and are either entirely or partially outside of the District's service area.

BE IT FURTHER RESOLVED that City and East Bay Municipal Utility District agree that after the District's service area adjustments are made and approved, the City may not provide water service to properties within the District's service area without prior written agreement from the District.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2016

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
HEART OF THE BAY

DATE: January 26, 2016

TO: Mayor and City Council

FROM: City Manager

SUBJECT: Agenda Item #11 – Authorization of Issuance of Multi-Family Housing Revenue Bonds (Acquisition and Rehabilitation of Four Eden Housing, Inc.-Owned Affordable Housing Developments) 2016 Series A and Execution of Related Documents

To accommodate Eden Housing, Inc.'s request, staff is respectfully requesting that agenda item #11, LB-16-008, referred to in the subject of this memo, be continued at the February 2, 2016 Council meeting. According to Eden management, additional time will allow all the parties involved in the bond issuance to resolve key deal issues prior to Council approval of the bond documentation.

Prepared by:
Omar Cortez, Housing Development Specialist

Recommended by:
Kelly McAdoo, Assistant City Manager
Sean Reinhart, Library and Community Services Director

Approved by:

Fran David, City Manager

**CITY COUNCIL MEETING
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DOCUMENTS RECEIVED AT MEETING



TRUMP LOVES

GMO CORN MANDATE

510-537-1796

Shell, BP Break With Trade Group Calling for Repeal of Renewable Fuel Standard

By Mike Hower / Sustainable Brands / July 31, 2013

Shell and BP have diverged from the oil and gas industry's main trade groups, which are calling for Congress to remove the Renewable Fuel Standard (RFS), a federal mandate that compels gasoline makers to blend in ethanol and other renewable fuels.

Taking a more moderate approach, the companies are instead looking for the eight-year RFS to be modified.

Shell's downstream policy and advocacy manager, John Reese, has said that Shell generally supports the RFS, but believes it needs to be revised. In light of Shell's partnership with Virent Inc. to produce advanced fuel alternatives made with plant materials, Reese says his company has slightly different interests than others in the oil industry, as a repeal of RFS would undermine its biofuels investments.

BP says it also has a vested interest in ensuring RFS remains in place — the company accounts for half of Butamax Advanced Biofuels, a joint venture with DuPont that aims to convert corn, wheat and other biomass into alcohol that has a higher energy density than traditional ethanol and can be blended into gasoline at refineries.

BP has outlined that it generally supports the goals of the RFS program to stimulate the development and deployment of biofuels technologies. However, the company recognizes that there are challenges with the standard that must be addressed, which is why BP is continuing to work with regulatory authorities to address these issues.

The RFS forces refiners to gradually increase amounts of ethanol and other fuel alternatives into the country's transportation fuel supply to reach some 36 billion gallons by 2020.

Several oil industry leaders claim they are hitting a 'blend wall' where they can no longer mix in enough ethanol to meet RFS volumetric targets without exceeding a 10 percent threshold acceptable for use in all cars and trucks. The American Fuel & Petrochemical Manufacturers (AFPM) and American Petroleum Institute (API) have argued a full repeal of the RFS is necessary.

In June, Wendy's and White Castle both unsuccessfully lobbied Congress to repeal the RFS, which claimed that under the Standard, fuel produced from soy, corn and other agricultural crops drives up food and grain prices.

http://www.sustainablebrands.com/news_and_views/clean_tech/shell-bp-break-trade-group-renewable-fuel-standard

Trump Loves GMO Corn Mandate

CAPP contact:

...Too much Monsanto in the Corn Creates Issues in the Brain...

Even the notoriously brash billionaire backs down from fight with GMO seed giant.

By Dave Murphy / Food Democracy Now / October 23, 2015

Clear Lake, Iowa — What comes up, must go down. As the race for the presidential campaign field of 2016 heats up, Donald Trump's poll numbers have started to slip. The first place this has been noticed is in Iowa, where the latest Des Moines Register Poll has Trump trailing Ben Carson by 9 points.

In a quick retort to his dipping poll numbers, Donald Trump (or someone in control of his Twitter feed) retweeted a humorous tweet from one of his followers that accidentally took a swipe at the intelligence of the Iowa voter and a jab at the Midwestern state's number one commodity export — Monsanto's genetically engineered corn. According to USDA statistics, 94 percent of corn grown in Iowa is genetically engineered and 97 percent of the soybeans in the state are GMO as well.

"Donald Trump just learned the first lesson of Presidential politics, said Dave Murphy, founder and executive director of Food Democracy Now! "He can talk trash about his fellow Republican candidates or attack Democrats, but he can't insult Iowa voters. Or link their intelligence to Monsanto's GMO corn."

Trump quickly backed down, erasing the tweet from his feed, but a screenshot captures what was sure to be a barnburner Tweet before it could really go viral.

The GMO labeling movement is happy to have Donald Trump's support, it's refreshing to hear a Republican presidential candidate stand up to Monsanto and the industrial farm lobby, even if it is only for a few minutes on Twitter.

"The fact that even billionaire Donald Trump would back down from Monsanto, should give Americans pause," Murphy added. "While the real and potential harm these products cause the environment and human health is no joking matter, it's an important reminder that all Americans have the right to know if their food has been genetically engineered in a laboratory, which is something that everyone can agree on, from billionaires to Iowa corn farmers."

Right now the battle to label GMOs is heating up in Washington DC and politicians should be on notice.

This week the Senate Agriculture Committee held a hearing on crop biotechnology, the first one in ten years, where every member of the committee took time to remind their audience that GMOs are safe, despite a growing pile of evidence pointing to potential harm.

On March 23, 2015, the World Health Organization's research arm the International Agency for Research on Cancer declared that glyphosate, the main chemical ingredient in Monsanto's best-selling weedkiller Roundup was linked to cancer in humans and lab animals.

Clearly, the message of Monsanto's legacy of producing toxic products has gotten to Donald Trump.

The real question is, what does billionaire Donald Trump know about Monsanto's products that the U.S. Senate is afraid to admit?

<http://www.fooddemocracynow.org/blog/2015/oct/23/trump-insults-iowa-voters-takes-monsanto-immediately-caves-big-ag-farm-lobby>

Trump Loves GMO Corn Mandate

CAPP contact:

Trump's Support for Ethanol Is Bad for Taxpayers and Their Cars

By Jillian Kay Melchior / National Review / January 21, 2016

One of the most destructive environmental subsidies in the United States has found an enthusiastic supporter in Donald Trump.

"The EPA should ensure that biofuel . . . blend levels match the statutory level set by Congress," he said yesterday in Iowa, adding that he was "there with you 100 percent" on continuing federal support for ethanol. "You're going to get a really fair shake from me."

The ethanol lobby has rigorously courted Trump since April, arranging to speak at least weekly, including at least three in-person meetings, in addition to an ethanol-plant tour, the Wall Street Journal reports.

Trump's support for ethanol may win him votes in Iowa, but federal support for ethanol is a bum deal for Americans.

Under the 2007 Independence and Security Act, Congress mandated that the United States use 36 billion gallons of biofuels, including corn ethanol and cellulosic biofuel, by 2022.

And the federal government not only requires the use of ethanol; it also subsidizes it. Tax credits between 1978 and 2012 cost the Treasury as much as \$40 billion. Moreover, numerous other federal programs, spanning multiple agencies, allot billions of dollars to ethanol in the form of grants, loan guarantees, tax credits, and other subsidies.

Taxpayers suffer in other ways, too. Vehicles can drive fewer miles per gallon using ethanol blends than they would with pure

gasoline. So Americans end up spending an extra \$10 billion per year for fuel, the Institute for Energy Research estimates.

Ethanol also guzzles 40 percent of the U.S. corn crop, and the resulting scarcity drives up the price of food. This year alone, the Congressional Budget Office estimated, American consumers will spend \$3.5 billion more on groceries because of the ethanol mandate.

Rising prices of corn feed have even put some small feedlots and ranches out of business. And as grocery prices increase, so does federal spending on programs like the Supplemental Nutrition Assistance Program.

In a further hallmark of terrible policy, it's probably not even possible for Americans to meet the ambitious ethanol goals Congress and the bureaucrats at the EPA have envisioned.

Ethanol-intensive fuel blends can wreak havoc on car, lawnmower, and boat engines. In fact, many vehicle manufacturers will no longer offer warranties when ethanol comprises 10 percent or more of fuel; engine erosion simply becomes too common.

So, we can't really increase the total amount of ethanol mixed into our gasoline much more, but — especially as vehicles become more fuel efficient — Americans aren't consuming enough gasoline to meet the Renewable Fuel Standards with a 10 percent ethanol blend. The EPA acknowledged this inconvenient mismatch last spring, setting three-year ethanol-use

requirements at 3.75 billion gallons below the legal minimums.

Ethanol's green benefit is also far from certain, explaining why even many within the environmentalist Left question — or outright oppose — the federal government's support.

It takes about 29 percent more energy to refine a gallon of ethanol than gasoline, and that process is often fueled by dirty sources like coal. Factor in the emissions generated during this production process, and ethanol sometimes comes in less green than old-fashioned gasoline. On top of that, burning ethanol also emits higher quantities of the chemical compounds that produce smog.

Then again, perhaps it's not surprising that Trump likes federal support of ethanol. After all, the real-estate mogul's business model has historically hinged on using tax abatements and other subsidies to make his building projects profitable.

(An example: As we reported in August, Trump Tower — which features a Gucci store Trump claimed was "worth more money than Romney" — has received a \$163.775 million tax break from the city of New York.)

Many of Trump's constituents have rejected the so-called Republican establishment because of its corrupt preferential treatment for Wall Street and Big Business. But Trump's support for ethanol belies his populist Main Street rhetoric. In reality, he's just another rich, East Coast politician who would prop up special interests at the expense of the taxpayer.

<http://www.nationalreview.com/node/430084/print>

CAPP contact: