

**CITY COUNCIL MEETING  
TUESDAY, JANUARY 12, 2016**

**DOCUMENTS RECEIVED AFTER PUBLISHED AGENDA**

**From:** Andy Wilson

**Sent:** Tuesday, January 12, 2016 3:06 PM

**To:** David Rizk; Damon Golubics

**Cc:** Barbara Halliday; Greg Jones; Al Mendall; Marvin Peixoto; Elisa Marquez; Francisco Zermeno; Sara Lamnin; Mimi Bauer; Minane Jameson; Carol Ford; Corl Leach; Horvath Cindy CDA

**Subject:** La Vista Park - CalPilots Comments No. 1

To: David Rizk and Damon Golubics,

Comments by California Pilots (CalPilots) Association:

The following comments are based on the proposed site to be used as a launch site for Drones.

Reference: Attached City of Hayward Pg. 6, Active Entertainment, Arts Science, Drone Flights, La Vista Park Previous Plans, 2015.

1. The site location is approximately 3.5 miles from the Hayward Executive Airport and well with the FAA 5 miles mandatory Drone reporting to the FAA and airport control towers.

Reference: Attached Doug McNeely, Hayward Executive Airport Manager, Drone article, December 15, 2015, Tri Valley Voice.

<http://www.tricityvoice.com/articlefiledisplay.php?issue=2015-12-29&file=Drones+230TS+++TCV.txt>

2. Due to the site elevation and within the approach zones for both the Hayward Executive and Oakland International Airport approach and departures separation between aviation and Drones could be just a few hundred feet separation. Much less if Drone altitudes are violated.

3. It is the opinion of CalPilots that by flying Drones UAS aircraft that this would attract all categories of aircraft to be launched from this site and increase further the possibilities of injuries to children and people using the park facilities and collision with FAA aviation aircraft.

4. CalPilots requests that any future reference to Drones by the City of Hayward or the Hayward Executive Airport should also include the FAA's term Unmanned Aircraft Systems (UAS) as referenced below.

Reference: FAA links:

<https://www.faa.gov/uas/>

<https://www.faa.gov/uas/nprm/>

[http://www.faa.gov/uas/no\\_drone\\_zone/](http://www.faa.gov/uas/no_drone_zone/)

5. It is CalPilots understanding that as Drones (UAS) become more in use more bird strikes are being reported this site does have birds of various species.

CalPilots Requests:

1. The City of Hayward deny this site as a launch site for Drones or UAS.

Mitigations:

1. The City of Hayward and the Developer in coordination with the Hayward Executive Airport, Hayward Library, Chabot and College, Cal State East Bay and Industry develop a STEM (Science Technology Engineering and Mathematics) site beyond 5 miles from the Hayward Executive Airport.

Regards,  
Andy Wilson



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[December 29, 2015](#) > Unmanned Aircraft Systems (drones)

## Unmanned Aircraft Systems (drones)

Submitted By City of Hayward

The gift-giving season is upon us and it's estimated that more than one million people in the U.S. will give or receive an Unmanned Aircraft System (UAS) or drone this year. However, flying a drone outdoors is subject to regulation by Federal Aviation Administration (FAA).

The regulation of drones changed on December 14, 2015 when FAA announced that all drones weighing between 0.55 and 50 lbs. must be registered no later than February 19, 2016. Anyone flying an unregistered drone after that date could face monetary fines and criminal penalties. The details for registering a drone can be found at [www.faa.gov/uas/registration](http://www.faa.gov/uas/registration).

The recreational use of drones for personal enjoyment should follow guidance in the "Know Before You Fly" website at [www.knowbeforeyoufly.org](http://www.knowbeforeyoufly.org). For example, an operator cannot fly a drone within five miles of an airport, including Hayward Executive Airport, without prior approval of the airport manager. In addition drones should fly no higher than 400 ft. and should not interfere with manned aircraft. The commercial use of drones for compensation falls under a separate set of regulations.

"There have been an increasing number of drone sightings by pilots, including two in the past year in the vicinity of Hayward Executive Airport," says Hayward Executive Airport Manager Doug McNeeley. "It's important that people flying drones know how to safely operate them outdoors."

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# LA VISTA PARK

HAYWARD, CALIFORNIA  
JULY 2015

# SITE PLAN DECEMBER 2006



**LA VISTA PARK**  
 DECEMBER 15, 2006

**GATES & ASSOCIATES**  
 LANDSCAPE ARCHITECTURE  
 LAND PLANNING    URBAN DESIGN  
 2001 FORD AVENUE, SUITE 200, SAN JOSE, CA 95131  
 TEL: 408.434.6722    FAX: 408.434.6941  
 WWW.GATES.COM

# SITE PLAN AUGUST 2007



# MASTER DEVELOPMENT SITE PLAN 2015





SITE PLAN AUGUST 2005



# ELEMENTS OF A PARK

## 1. ENTRY AREA

## 2. ARRIVAL / DROP-OFF

## 3. TOWN CENTER

- a. Hardscape
- b. Events Place
- c. Restroom
- d. Gazebo
- e. Restroom/Concession/Storage
- f. Trellis

## 4. PLAY AREA

- a. 2-5
- b. 5-15
- c. Water Play
- d. Nature
- e. Adventure (building)

## 5. PROMENADE

- A. Space Organizer
- b. Driveable EVA

## 6. ACTIVE ENTERTAINMENT

- a. Technology
- b. Educational
- c. Interactive - Social
- d. Arts / Science
  - i. Robotics
  - ii. Drone Flights
- e. Historic Sense

## 7. PROGRAMMABLE ACTIVITIES

- a. Small Events
- b. Painting Class
- c. Yoga, etc.

## 8. GREAT GREEN

- .a. Frisbee
- b. Large Events
- c. Dog Park
- d. Practice Sports

## 9. ACTIVE SPORTS

- s. Tennis
- b. Soccer
- c. Volleyball
- d. Baseball

## 10. BERM / SLOPE

- a. Berm for viewing sports
- b. Separation for residential

## 11. PARKING

## 12. SCREEN / BUFFER

# ENTRY AREA - ARRIVAL / DROP-OFF



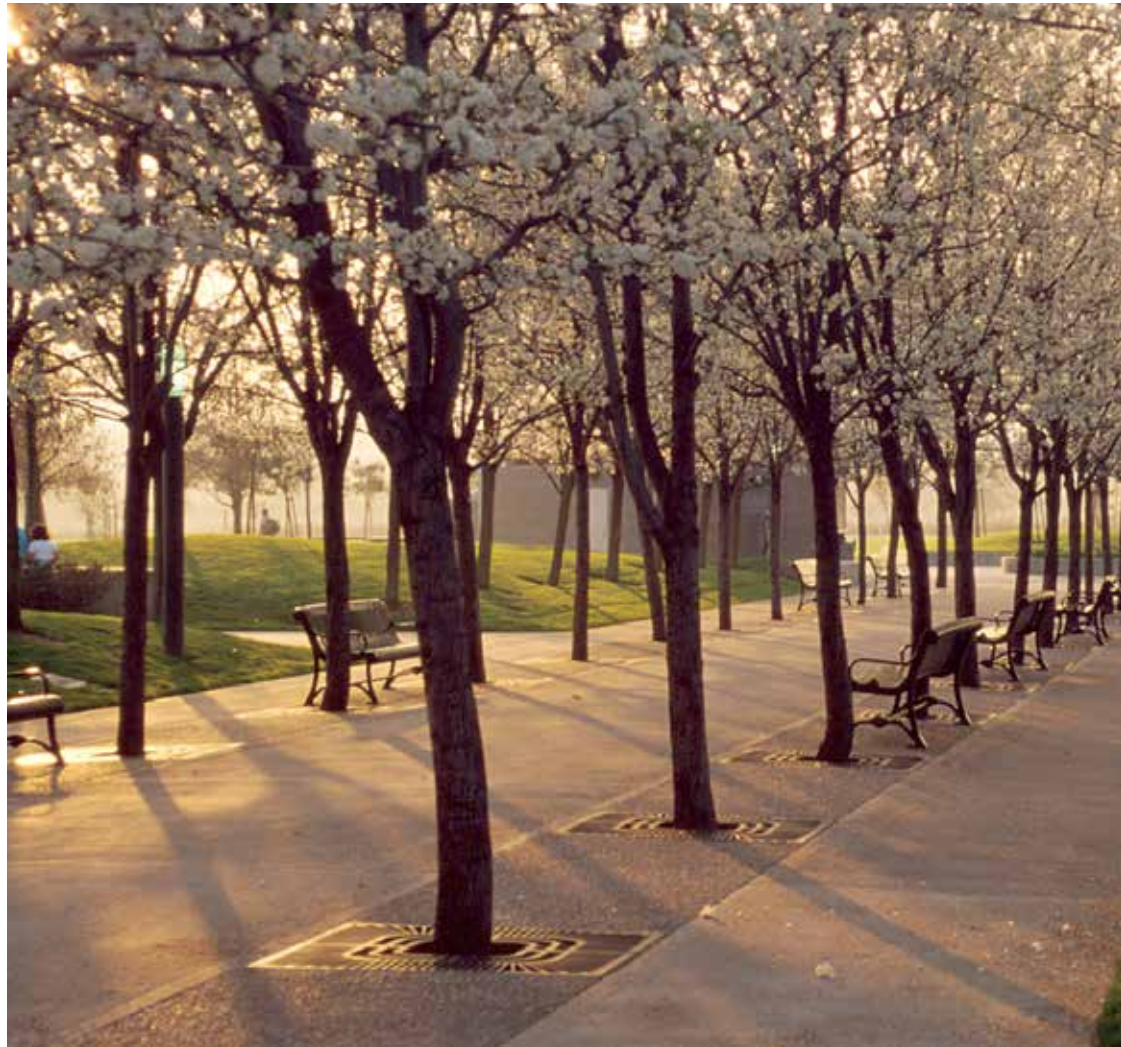
# TOWN CENTER



# PLAY AREA



# PROMENADE



# ACTIVE ENTERTAINMENT



# PROGRAMMABLE ACTIVITIES





# GREAT GREEN



# ACTIVE SPORTS



# BERM / SLOPE / SCREENS/ BUFFERS



# SUSTAINABILITY



# TECHNOLOGY, EDUCATIONAL, ARTS & SCIENCE





**OFFICE OF THE CITY CLERK**

DATE: January 12, 2016  
TO: City Council  
FROM: City Clerk  
RE: Amendment to City Council Minutes 12/15/2015

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This serves to amend the minutes of December 15, 2015, under Council Reports, Referrals, and Future Agenda Items to reflect one change as follows:

It currently reads:

“Council Member Márquez was not present when the City Council convened in closed session.”

Proposed to read:

“Council Member Márquez was not present when the City Council convened in closed session, but joined the meeting at 5:05 p.m.”

With the change noted above, I respectfully request approval of the amended minutes.



CITY OF  
**HAYWARD**  
HEART OF THE BAY

**DATE:** January 8, 2016

**TO:** Mayor and City Council

**FROM:** City Manager

**SUBJECT:** Correction to Resolution Declaring Public Purpose and Authorizing the City Manager to Negotiate and Execute an Agreement with the State of California Acting through the Department of Transportation for the Purchase of Certain Excess Route 238 Properties

The attached document replaces Attachment I of item 6 (LB 16-007) on the January 12, 2016 City Council Agenda. After the publication of the agenda packet for the January 12, 2016 meeting, the California Department of Transportation requested a last minute change to the Resolution. 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 DECLARING PUBLIC PURPOSE AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE STATE OF CALIFORNIA ACTING THROUGH THE DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF CERTAIN EXCESS ROUTE 238 PROPERTIES

WHEREAS, the California Department of Transportation (“Caltrans”) is the owner of certain real property located in what is commonly referred to as the Rte. 238 Bypass corridor (collectively, the “Rte. 238 Excess Properties”) acquired for the purpose of constructing a new alignment for a freeway or expressway bypass to State Route 238 in the City of Hayward and in an unincorporated area of the County of Alameda (“Bypass Project”); and

WHEREAS, the Bypass Project is no longer planned to be constructed and the route adoption for the Bypass Project was rescinded by the California Transportation Commission (“CTC”); and

WHEREAS, the Director of Caltrans previously determined, in accordance with Section 118 of the Streets and Highways Code, and Government Code sections 14528 *et seq.*, that the Rte. 238 Excess Properties are no longer needed for highway purposes and have been certified as excess by Caltrans; and

WHEREAS, the California Department of Transportation has been charged with the sale or other disposition of the excess Route 238 corridor properties pursuant to Cal. Gov't Code § 14528.65;

WHEREAS, the City desires to purchase certain Rte. 238 Excess Properties in order to allow the public to weigh in on their vision for these areas on a more meaningful level and allow the City, at an accelerated pace, to preserve and create open space, parkland, and community amenities; to remediate blight caused by the lack of investment and underdevelopment; ensure the needed infrastructure is built to support a thriving community; allow the City to select development that will put the land to the highest and best use including in some cases transit-orientated development, infill development, and mixed use development to reduce transit congestion and promote economic viability within the City; and ensure first class amenities are included in the development of this area for the present and future enjoyment of the citizens of the City;



**ATTACHMENT I**

NOW, THEREFORE, BE IT RESOLVED by the City Council that in order to address the public issues described herein, the City Manager is hereby authorized to negotiate and execute a Purchase and Sale Agreement and all necessary supporting documents between the City and the State of California, acting through the Department of Transportation, to facilitate the purchase of Rte. 238 Excess Properties identified herein in a form approved by the City Attorney.

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

## Walking-oriented development has:

### General Location

Walking-oriented development is near high-quality transit with access to a job center and within 15 minutes total travel time of a good grocery store.

### Affordable and Sustainable Site Development

The residential building for a walking-oriented development is affordable and sustainable, which is accomplished by:

- Mid density: about 80 to 100 persons per neighborhood acre
- Four square construction
- Three-story building height
- Net zero on the grid (roof-top PV and thermal solar energy)
- Owner or homeowner association must have procedures to foster community and maintain value.

### Alternative Transportation

Walking-oriented development uses alternative transportation:

- Unbundled parking, at least \$150/month.
- Parking management on public streets to prevent spillover parking from new development.
- No structured parking; it cannot pay its own way.
- The projects support a circulator at least every 10 minutes from Hayward BART to Lincoln Landing using Maple Court and A/B Streets, which requires loop reform. [Rapid bus system: dual mode motor; elevated sidewalk stops with no step entry; guided docking for fast roll-on, no fare collection, “proof of purchase” fare enforcement, signal preemption, right lane bypass. Land-based financial contribution, capital and operating. Management by RFP and contract operator.]
- Eco-pass: all residents ride circulator for free.
- Easy, safe, attractive walk to downtown and BART, which requires loop reform.
- Bike share and supporting facilities for easy one-way bike trips in downtown Hayward.
- Carshare/rental easily available for those trips where transit, bike and walk do not work.
- Taxi/e-hail service for fast, affordable service like Uber and Lyft.
- Guaranteed ride home voucher for residents from BART for taxi/e-hail service when the circulator is not running.
- A limited number of taxi/e-hail vouchers for healthcare when other modes are inefficient.
- Special carts for carrying groceries home.

### Financial Feasibility through Staging

- Project has financial incentives for residents to not park their car on site (departing incentives).
- Project has education of residents and services to help them improve their mobility without parking a car on site.
- As residents transition away from parking a personal car on site, new stages are built following the same concepts.
- This kind of housing costs about 15% less than automobile-based housing, making it very competitive in the marketplace.
- As surface parking is freed up, it is used for the next stage.

Walking-oriented development can revitalize downtown and make Hayward a leader in the state.

**CITY COUNCIL MEETING  
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**Comments by Sherman Lewis, President of HAPA to Hayward City Council  
January 12, 2016**

I support the proposal to use options to buy these major opportunity sites from Caltrans.

I am concerned, however, that this new opportunity will be used to take Hayward down the wrong path, to unsustainable car-oriented development. The Lincoln Landing, Main and Maple, and Centennial projects are simply suburbia squeezed into a smaller area. Two of the projects propose oversized, 6-story buildings because they have large parking structures. These projects are also oriented away from Hayward, and will do little to bring new people into downtown. This problem is made worse by the dysfunctionality of the loop, which has been a disaster for downtown. The loop, in fact, illustrates the City's commitment to more use of cars and faster traffic, which is the opposite of the direction we should be taking.

I would like to work with homeowners in the Prospect area, downtown merchants, and other people in Hayward to persuade the Council to support walking-oriented development. The State of California this year plans to invest over \$300 million in sustainable communities. I strongly believe that Hayward can get significant funding from the State. The Strategic Growth Council is going to take an exciting new initiative in support of large "catalytic projects," exactly what we can do in Hayward with walking-oriented development. Additional funding is available from tax credit financing. Funds for loop reform can come from reprogramming of commitments in the Local Agency Transportation Improvement Program which are now ~~all~~ going to more freeway projects.

We also have an amazing opportunity to save a building worth millions of dollars in downtown Hayward for a community center. We have the revitalization of the Green Shutter Hotel as an attractive historical building. Walking-oriented development is also possible for the City's C and Main Street site and the large site north of the Hayward BART station.

Walking-oriented development will bring many people into downtown Hayward for recreation, shopping, and restaurants. This increase in access should be further enhanced with a circulator from BART to Lincoln Landing, more parking from loop reform, a frequent shuttle to Cal State Hayward, and walking-oriented development in the downtown-to-campus corridor.

The City now is unfortunately committed to unsustainable car-oriented development, and if we want Hayward to be a better place, even a leader in this state, we must significantly change direction.