

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE ALAMEDA COUNTY LOCAL AGENCY FORMATION COMMISSION FOR APPROVAL OF AN OUT-OF-SERVICE AREA AGREEMENT TO ALLOW THE CITY TO PROVIDE SEWER SERVICE TO 27398 FAIRVIEW AVENUE IN UNINCORPORATED ALAMEDA COUNTY, BEARING ASSESSOR'S PARCEL NUMBER 085A-6200-010-00, AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE UTILITY SERVICE (USA 19-01) AND PUBLIC STREET IMPROVEMENT AGREEMENTS

WHEREAS, Water service from the City of Hayward (City) has been requested by the owner of the property fronting Fairview Avenue, bearing Assessor's Parcel No. 085A-6200-010-00 (the Property); and

WHEREAS, The Property is located within the City of Hayward's Sphere of Influence; and

WHEREAS, Pursuant to City policy, the Property Owners have signed Public Street Improvement and Utility Service Agreements to install street improvements across the Property frontage at a future date and to agree to annexation of the Property into Hayward when requested by City; and

WHEREAS, The City is required to apply to the Alameda County Local Agency Formation Commission (LAFCO) for approval of out-of-service area agreements to allow the City of Hayward to provide water service to properties located outside the City limits; and

WHEREAS, The Property owner has agreed to pay the LAFCO application processing costs;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is authorized to direct staff to file an application with the Alameda County Local Agency Formation Commission requesting that the City of Hayward be allowed to provide sewer service for the Property.

BE IT FURTHER RESOLVED that, provided LAFCO approves an out-of-area service agreement pursuant to Government Code §56133, the City Manager is also authorized to execute a Utility Service Agreement (USA 19-01) and a Public Street Improvement Agreement in the form of the agreements on file in the Office of the City Clerk, to which reference may be made for further particulars.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2019

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:

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City Attorney of the City of Hayward