

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-____

Introduced by Council Member _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN
AGRICULTURAL LEASE AGREEMENT WITH VIRGIL ROBERTSON FOR 20
ACRES ON PARCEL GROUP 4 GENERALLY SITUATED ON UNDEVELOPED
LAND BETWEEN HARDER AND TENNYSON ROADS

WHEREAS, the State Department of Transportation (Caltrans) purchased over 400 parcels of property in the City of Hayward for the planned construction of the 238 Bypass Freeway project, which was stopped because of a lawsuit filed by La Raza Unida of Southern Alameda County; and

WHEREAS, the City and Caltrans negotiated a Purchase and Sale Agreement for the City to acquire a portion of the properties from Caltrans, that was approved by the City Council and the California Transportation Commission (CTC) in January 2016; and

WHEREAS, the Purchase and Sale Agreement with Caltrans allows the City to buy and dispose of ten different parcel groups for an 11-year period that now expires in January 2027; and

WHEREAS, the City proposes entering into a month-to-month agricultural lease with Virgil Robertson for grazing and boarding of up to 10 horses on 20 of the 80 acres of Parcel Group 4, generally located in the hills between Harder and Tennyson Roads, to the east of Moreau Catholic High School and the Holy Sepulchre Cemetery, and to the west of California State University East Bay campus (as shown on Exhibit A);

WHEREAS, a summary of the key terms of the proposed lease is described in detail in the accompanying Staff Report and include the following terms: premises, term, use, rent, and maintenance obligations, among other terms; and

WHEREAS, the proposed month-to-month lease is conditioned upon Mr. Robertson terminating his existing lease with the City on portions of the adjacent Parcel Group 3, which will help facilitate the development of the La Vista Park; and

WHEREAS, Mr. Robertson's use of the property is proposed as an interim use while City staff continue to work on long-term next steps for Parcel Group 4; and

WHEREAS, the approval of this Resolution and the authorization to enter into the proposed lease is exempt from the California Environmental Quality Act (CEQA) pursuant to: 14 C.C.R. §§ 15325 (transfer to allow continued agricultural or open space uses), 15311 (accessory structures), 15304 (minor alteration of land), 15301 (lease of existing facilities), and 15061(b)(3) [common sense exemption].

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes and directs the City Manager to negotiate and execute an agricultural lease agreement with Virgil Robertson consistent with the terms generally outlined in this Resolution and the accompanying Staff Report, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

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

