

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-\_\_\_\_

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT TO TRANSFER THE OPEN SPACE SUBDIVISION OF PARCEL GROUP 8 AND GRANT AN EASEMENT FOR A TRAIL ACROSS THE MARKET RATE SUBPARCEL TO HAYWARD AREA PARKS AND RECREATION DISTRICT (HARD); AND FINDING THAT THE ACTION IS EXEMPT FROM ENVIRONMENTAL REVIEW

WHEREAS, in 2016, the City and Caltrans entered into a purchase and sale agreement (PSA) for several parcels of property owned by Caltrans in the City of Hayward and unincorporated Alameda County, and Parcel Group 8 is one parcel group subject to the Caltrans PSA.

WHEREAS, the Caltrans PSA allows for Parcel 8 to be divided into subparcels, subject to Caltrans consent, and the City and Caltrans desire to divide Parcel 8 into three subparcels, one of which is used for park purposes; and

WHEREAS, resolution 20-146 sets forth Caltrans' agreement to divide Parcel 8 into three subparcels and to assign no value to the open space segment or the affordable housing subparcel, as conditions on City crediting the Market Rate subparcel with land dedication for park and affordable housing purposes; and

WHEREAS, City and HARD desire for City to transfer the open space segment to HARD for HARD to operate the property for public park purposes, to allow for the continuation of the Hayward Foothill Trail, consistent with current zoning, including connectivity across adjacent segments of Parcel Group 8; and

WHEREAS, in furtherance of the City's goal to provide connectivity and expand the Hayward Foothill Trail, the City desires to grant an easement to HARD across the Market Rate subparcel of Parcel Group 8 to allow for the construction, operation, and maintenance of a public trail; and

WHEREAS, the City intends that the open space segment will be considered a land dedication for park purposes pursuant to Chapter 10, Article 16 of the Hayward Municipal Code (or successor ordinance thereto), which land dedication will be credited to park fees or land dedication that might otherwise be owed in connection with the development of the Market Rate subparcel if developed and to the extent appropriate depending upon the use of the Market Rate subparcel; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes the City Manager to execute an agreement with HARD to transfer the open space subdivision of Parcel Group 8, and to grant an easement to HARD across the Market Rate subparcel of Parcel Group 8 for the construction, operation, and maintenance of a public trail, in form approved by the City Attorney.

BE IT FURTHER RESOLVED that the City Council finds that the transfer is categorically exempt from California Environmental Quality Act pursuant to Section 15613, 15325 and 15204 of the California Code of Regulations.

IN COUNCIL, HAYWARD, CALIFORNIA, \_\_\_\_\_, 2026

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