



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 05/25/99

AGENDA ITEM 6

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Request by the East Bay Municipal Utilities District to Adjust Service Boundaries with the City of Hayward

RECOMMENDATION:

It is recommended that the City Council approve the attached resolution adjusting service boundaries between the East Bay Municipal Utilities District and the City of Hayward.

BACKGROUND/DISCUSSION:

The East Bay Municipal Utilities District (EBMUD) recently completed a review of its service area boundary. As a result of this review, EBMUD identified two areas where the District's service boundaries were inconsistent with existing service provisions. One is an area in Hayward that although is inside the District's service area, it is actually being served by Hayward water service. The other is a small area inside the City of Hayward and outside of the District's formal service area that the District currently serves with water, and it has served for many years.

The first area is located generally west of the Union Pacific railroad tracks west of the Hayward Airport, and north of West Winton Avenue (See Exhibit A). EBMUD had annexed the area that used to be called the San Lorenzo Industrial Area to its service area in 1956, however the District never provided water service to the area. In the 1970's, the City expanded its northern boundary to include a portion of that area, overlapping the earlier EBMUD annexation, and currently serves water to that portion of the area including Cabot Boulevard and Barington Court. The remaining portions are mostly Hayward Regional Shoreline, and Hayward Area Recreation and Park District properties. EBMUD plans to petition the Alameda County Local Agency Formation Commission (LAFCO) to detach this land from the District's service area. Since the land is already inside the City of Hayward corporate limits, the only action necessary on the City's part is to consent to the detachment by EBMUD.

The second area is on "E" Street in northeast Hayward (See Exhibit B). There are a total of ten parcels, in three locations, in close proximity to one another. EBMUD is currently providing water service to these parcels, which are located outside of the District's service area, and inside the City's. The City currently has a water main at the frontage of two of the clusters, but EBMUD's main dates back to 1933, which predates the City main by over 30 years. It is assumed that the City did not have water distribution facilities in this vicinity when EBMUD initiated water service to these ten parcels. EBMUD plans to petition Alameda County LAFCO to annex these properties into the District's service area. As part of the process, it is necessary for Hayward to consent to this action. The parcels will continue to remain inside incorporated Hayward boundaries after annexation to EBMUD service area. Since these parcels have been served by EBMUD for a many years, staff has no objection to the continuation of service. The proposed changes in EBMUD's service area are exempt from the California Environmental Quality Act (CEQA).

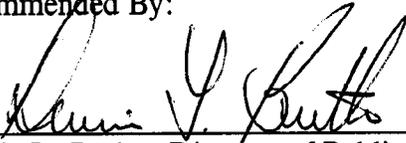
On April 27, 1999, the Board of Directors of EBMUD approved a petition to Alameda County LAFCO to become the Conducting Authority for the detachment and annexation of the areas west of 880 and on E Street. EBMUD staff is preparing an application packet, and anticipates being on the LAFCO's agenda in July 1999.

Prepared By:



Alex Ameri, Deputy Director of Public Works for Utilities

Recommended By:



Dennis L. Butler, Director of Public Works

Approved By:



Jesús Armas, City Manager

Attachment: Exhibit A - Location Map
Exhibit B - Location Map

SERVICE AREA TO BE DETACHED
FROM EBMUD

ALAMEDA COUNTY

CITY OF HAYWARD

SAN FRANCISCO BAY

RR TRACKS

BARRINGTON
COURT

CABOT BLVD

WINTON AVE

WEST

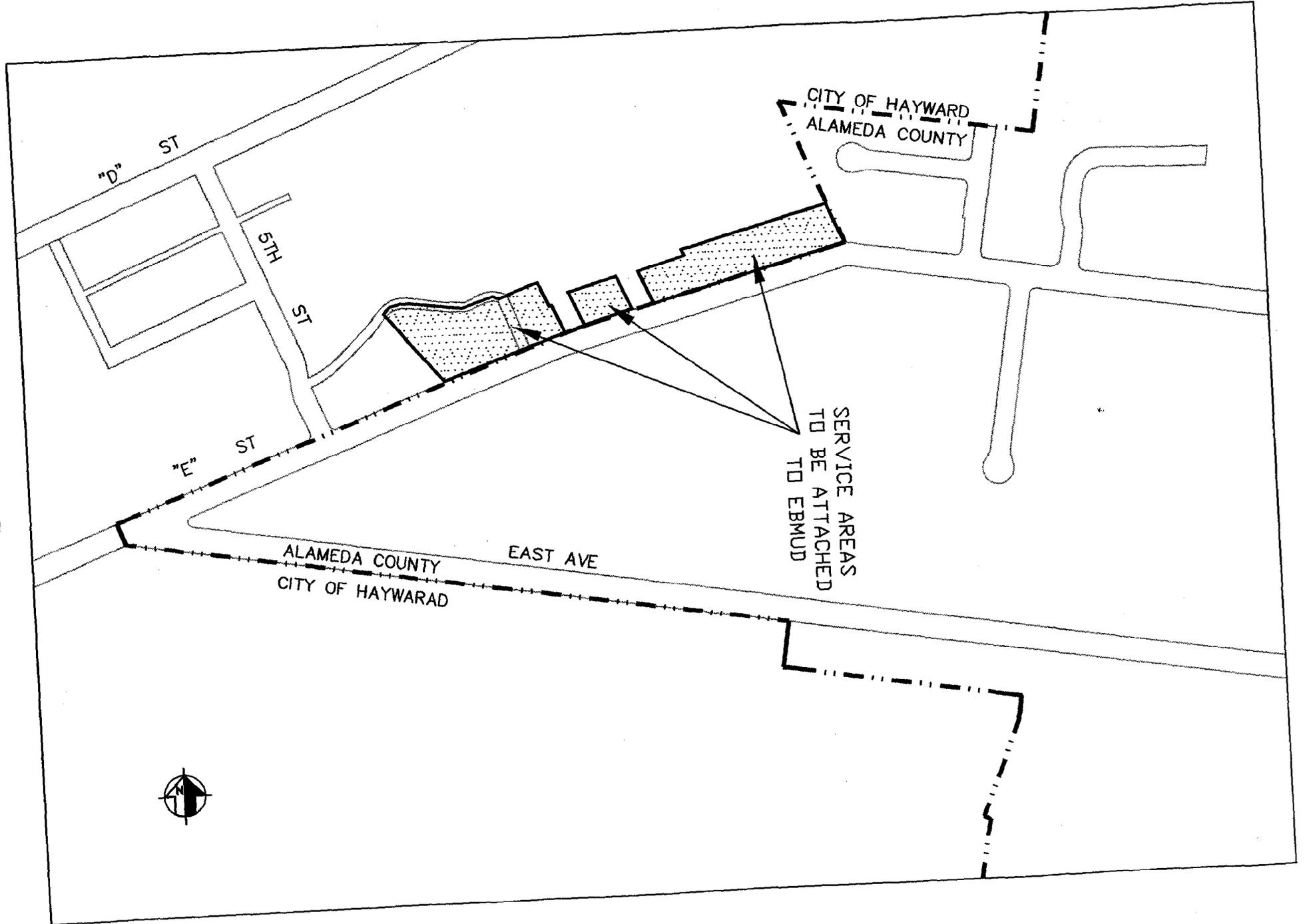
BLVD

CABOT



EXHIBIT A

EXHIBIT B



DRAFT

Jan 5-1-89

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

**RESOLUTION CONSENTING TO FILING OF A CHANGE
OF ORGANIZATION APPLICATION WITH THE ALAMEDA
COUNTY LOCAL AGENCY FORMATION COMMISSION
BY THE EAST BAY MUNICIPAL UTILITY DISTRICT**

WHEREAS, East Bay Municipal Utility District (EBMUD) recently reviewed its service boundaries and located two areas located within the jurisdictional boundaries of the City of Hayward where the District's service boundaries are inconsistent with existing service; and

WHEREAS, EBMUD proposes two boundary change as follows: the first boundary change proposed consists of the detachment from EBMUD's service boundaries of an area located west of the Union Pacific railroad tracks west of the Hayward Airport and north of West Winton Avenue consisting of approximately 294 acres, which has and will continue to receive water service from the City of Hayward, and is depicted in Exhibit A; and the second boundary change proposed is EBMUD's annexation of three groups of properties in northeast Hayward located along "E" Street, totaling approximately 3.4+ acres, which have received water service from EBMUD for many years, and are depicted in Exhibit B; and,

WHEREAS, on April 27, 1999, the Board of Directors of EBMUD authorized the filing with the Alameda County Local Agency Formation Commission ("LAFCO") of an application for a change of organization to adjust EBMUD's service area boundaries as hereinabove described and EBMUD has asked the City of Hayward to consent to such proposed application; and

WHEREAS, the proposed changes in EBMUD's service area are exempt from the California Environmental Quality Act pursuant to the class 20 exemption contained in section 15320 of the State CEQA Guidelines.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby consents to the filing by East Bay Municipal Utilities District of a change of organization application with LAFCO to adjust EBMUD's service boundaries within the City of Hayward as follows: 1) to detach from EBMUD's service boundaries the area depicted in Exhibit A, consisting of an approximately 294 acre territory located west of the Union Pacific railroad tracks west of the Hayward Airport and north of West Winton Avenue; and 2) to

annex to EBMUD's service area the properties in northeast Hayward located along "E" Street, totaling approximately 3.4+ acres, depicted in Exhibit B.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 1999

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward