CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 04/15/03
AGENDA ITEM 6
WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Adoption of Park Dedication In-Lieu Fee Ordinance

RECOMMENDATION:

It is recommended that the City Council adopt the attached Ordinance.

BACKGROUND:

The ordinance was introduced at the April 8, 2003, meeting of the City Council with the following vote:

AYES:	Council Members:	Jimenez, Hilson, Rodriquez, Dowling
	Mayor:	Cooper
NOES:	Council Members:	Ward, Henson
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

The ordinance was published in the Hayward Daily Review on April 12, 2003. Adoption at this time is therefore appropriate.

Prepared by:

Angelina Reyes

Angelina Reyes, City Clerk

Approved by:

Jesús Armas

Jesús Armas, City Manager

Draft Ordinance

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF HAYWARD

ORDINANCE REVISING ARTICLE 16 OF CHAPTER 10 OF THE HAYWARD MUNICIPAL CODE FOR THE PARK DEDICATION IN-LIEU FEES

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Article 16 of Chapter 10 of the Hayward Municipal Code is hereby amended to read as follows:

ARTICLE 16
PROPERTY DEVELOPERS - OBLIGATIONS FOR PARKS AND RECREATION

Section	Subject Matter
10-16.00	AUTHORITY
10-16.01	PURPOSE
10-16.10	REQUIREMENTS
10-16.11	EXEMPTIONS FROM REQUIREMENTS
10-16.15	PLAN
10-16.20	STANDARDS FOR LAND DEDICATION
10-16.21	FORMULA FOR LAND DEDICATION
10-16.25	PUBLIC IMPROVEMENTS
10-16.30	FEES IN LIEU OF LAND DEDICATION
10-16.31	DETERMINATION OF DEDICATION OF LAND AND/OR PAYMENT OF IN-LIEU FEES
10-16.32	CREDIT FOR PRIVATE RECREATION IMPROVEMENTS
10-16.45	LAND DEDICATION
10-16.46	ACCESS TO PARK LAND
10-16.47	DEVELOPER PROVIDED PARK AND RECREATION IMPROVEMENTS
10-16.48	REDETERMINATION OF REQUIRED LAND DEDICATION
10-16.50	COMMENCEMENT OF DEVELOPMENT
10-16.60	ALTERNATE AGENCY FOR DEVELOPMENT AND MAINTENANCE
10-16.70	DEVELOPMENTS SUBJECT TO ARTICLE
10-16.80	OPERATIVE DATE ARTICLE 16

Section 2. Severance. Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 3. Effective Date. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

Introduced at a regular meeting of the Hayward City Council held April 8, 2003, the above-entitled ordinance was introduced by Council Member Hilson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on April 15, at 8:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk, 777 B Street.

Dated: April 12, 2003
Angelina Reyes, City Clerk
City of Hayward