



**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 11/09/04  
AGENDA ITEM 5  
WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council  
**FROM:** Director of Community and Economic Development  
**SUBJECT:** Acceptance of Cannery Water Tower from ConAgra, Inc.

**RECOMMENDATION:**

It is recommended that the City Council adopt the attached resolution accepting the donation of the Cannery Water Tower and authorizing the City Manager to execute all related documents.

**BACKGROUND:**

Over the past couple of years, the City has had discussions with ConAgra, Inc. regarding the rehabilitation and disposition of the Cannery Water Tower. This has resulted in ConAgra, Inc. painting the Water Tower with the City's name and rosette on the Tower this past summer. Since the painting has been completed, ConAgra, Inc. has generously agreed to donate the Tower to the City. The Water Tower is an historic icon within the City, recalling the importance that the Hunt-Wesson Cannery had as a major employer in this community during the last century. In 2001, the City Council approved the designation of the Tower as an historic structure. It is now planned that the Water Tower will serve as a centerpiece for the two-acre Water Tower Park that is to be installed as the Cannery Area redevelops over time.

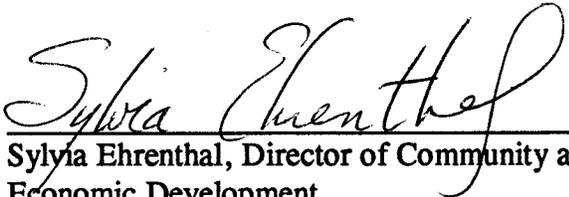
ConAgra, Inc. is donating the Water Tower, along with 2,304 square feet of land immediately below it to the City of Hayward in order to preserve the Tower for the future park. ConAgra, Inc. is also granting the City a temporary license to cross its property in order to access the Water Tower for maintenance purposes. The license would be effective until such time as streets are installed around the Tower and the future park area as new residential development takes place. The City has already installed fencing around the perimeter of the Water Tower in order to protect it from vandalism. In addition, a graffiti coating was applied to the Water Tower as part of the painting contract.

The property will be transferred by a quit claim deed and bill of sale at closing. Because the property is being donated, there will be no costs involved in the transfer except incidental recordation and title fees, which will be funded under the existing budget.

Prepared by:

  
Maret Bartlett, Redevelopment Director

Recommended by:

  
Sylyia Ehrental, Director of Community and  
Economic Development

Approved by:

  
Jesús Armas, City Manager

Attachment: Resolution

**DRAFT**

HAYWARD CITY COUNCIL

RESOLUTION NO. 04-

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

**RESOLUTION ACCEPTING DONATION OF THE  
CANNERY WATER TOWER FROM CONAGRA, INC.**

WHEREAS, the Cannery Water Tower is an historic icon with the City of Hayward recalling the importance that the Hunt-Wesson Cannery has had as a major employer during the last century; and

WHEREAS, the City of Hayward and ConAgra, Inc., have discussed the disposition of the Cannery Water Tower, and ConAgra, Inc., is donating the Water Tower and 2,304 square feet beneath it to the City of Hayward in order to preserve it for the future park; and

WHEREAS, the property will be transferred by quit claim deed and bill of sale at no cost to the City of Hayward, other than incidental recordation costs and title fees.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward hereby accepts, on behalf of the City of Hayward, the donation of the Cannery Water Tower from ConAgra, Inc.

BE IT FURTHER RESOLVED, that the City Council hereby authorizes the City Manager and City staff to negotiate and execute any and all documents necessary to complete the transfer of the Cannery Water Tower to the City.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2004

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