

CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 04/03/07
AGENDA ITEM 1
WORK SESSION ITEM _____

TO: Mayor and City Council
FROM: Director of Community and Economic Development
SUBJECT: Utility Service Agreement 07-02 – Navico, Inc. (Applicant/Owner) – Authorize the City Manager to Execute a Utility Service Agreement for Water Service for Three Properties on China Court in the Fairview Area

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution:

- 1) Authorizing the City Manager to execute a Utility Service Agreement to provide water service for the property with Assessor's Parcel Numbers 425-0260-011-01, 425-0260-011-02 and 425-0260-011-03 on China Court;
- 2) Authorizing the City Manager to execute a Public Street Improvement Agreement for three properties on China Court; and
- 3) Directing staff to apply to the Local Agency Formation Commission (LAFCO) for approval for the water service.

DISCUSSION:

The applicant has requested water service connection for a domestic service for three new single-family homes in the Castle Homes Water Service Area. The Castle Homes Water Service Agreement between the City and Castle Homes (executed in 1954), requires that the City maintain sufficient water supply for the the area, subject to execution of a utility service agreement and reasonable conditions.

Pursuant to City policy, the applicant has executed agreements committing him to install roadway frontage improvements and tie-in pavement at a future date and agreeing to annex, if and when requested by the City. This is consistent with past agreements approved for providing utility service to properties outside the City limits.

Approval of an agreement and related connection is not subject to environmental review, per CEQA Guidelines Section 15301(b) (existing facilities of a publicly owned utility). If execution of the agreements is approved, the City will need to apply to LAFCO to provide service.

Prepared by:



Bashir Y. Anastas, P.E.
Development Review Services Engineer

Recommended by:



Susan J. Daluddung, Ph.D.
Director of Community and Economic Development

Approved by:

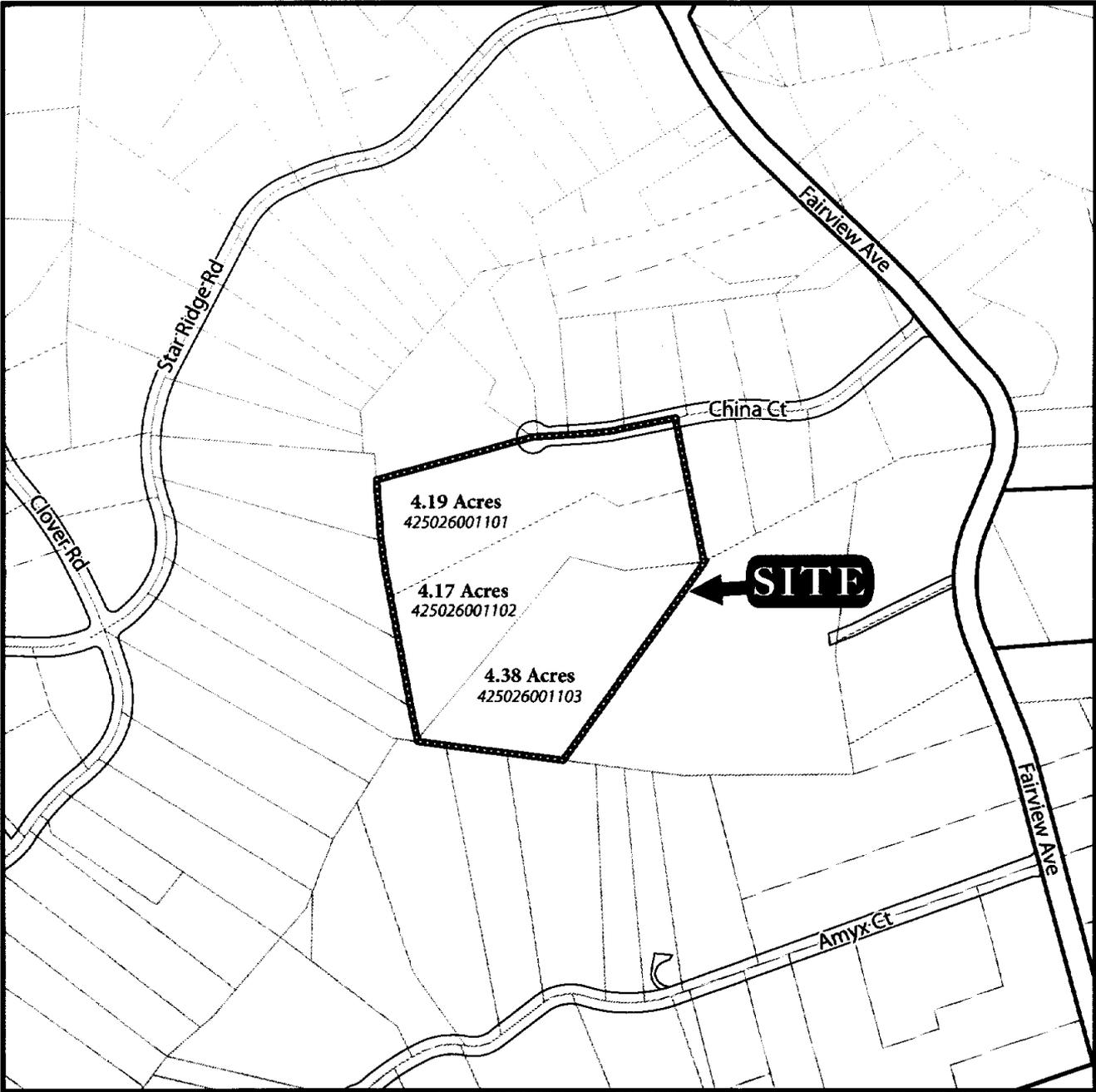


Jesús Armas, City Manager

Attachments:

Exhibit A Area Map
Draft Resolution

3/29/07



Project Location

USA PL-2007-0127—Navico, Inc.
4011, 4017 & 4023 China Court



HAYWARD CITY COUNCIL

RESOLUTION NO. 07-

Introduced by Council Member _____

me
3/15/07

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO LAFCO FOR APPROVAL OF UTILITY SERVICE AGREEMENT (USA 07-02) TO PROVIDE WATER SERVICE FOR THE PROPERTY WITH ASSESSOR'S PARCEL NUMBERS 425-0260-011-01, 425-0260-011-02, AND 425-0260-011-03 ON CHINA COURT IN THE FAIRVIEW AREA AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH AGREEMENT

WHEREAS, the applicant has requested water service connection for domestic service for three new single-family homes in the Castle Homes Water Service area; and

WHEREAS, pursuant to City policy, the applicant has executed an agreement to annex when requested by City; and

WHEREAS, the City is required to apply to LAFCO for approval of the utility service agreement, for which the applicant has agreed to pay.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is authorized to file an application with the Alameda County Local Agency Formation Commission ("LAFCO") for approval of the utility service agreement (Utility Service Agreement 07-02) for the property with Assessor's Parcel Numbers 425-0260-011-01, 425-0260-011-02, and 425-0260-011-03 on China Court in the Fairview area.

BE IT FURTHER RESOLVED that the City Manager is also authorized to execute a utility service agreement in the form of the agreement on file in the office of the City Clerk, to which reference may be made for further particulars, following the LAFCO's approval of the utility service agreement pursuant to Government Code section 56133.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2007

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