



**CITY OF HAYWARD  
AGENDA REPORT**

**AGENDA DATE** February 24, 1998  
**AGENDA ITEM** 2  
**WORK SESSION ITEM** \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT: TRACTS 5993 AND 6173 – STANDARD PACIFIC CORPORATION  
(SUBDIVIDER/OWNER) – Authorization for the City Manager to execute a  
subdivision agreement with the new subdivider/owner.**

**RECOMMENDATION:**

That the City Council:

1. Authorize the City Manager to execute a new subdivision agreement with Standard Pacific Corporation thereby superseding the previous subdivision agreement between the City and Clearbrook-Hayward, L.P., dated July 3, 1997;
2. Release Clearbrook-Hayward, L.P. from its obligations under the subdivision agreement for Tracts 5993 and 6173, dated July 3, 1997;
3. Authorize the release to Clearbrook-Hayward, L.P. of security bonds for faithful performance (\$657,850.00) and labor and materials (\$657,850.00) previously posted with the City for Tract 5993; and
4. Authorize the release to Clearbrook-Hayward, L.P. of security bonds for faithful performance (\$65,250.00) and labor and materials (\$65,250.00) previously posted with the City for Tract 6173.

**DISCUSSION:**

Tract 5993 for 63 single-family residential lots and Tract 6173 for 10 single-family residential lots are on the northerly side of Garin Avenue approximately 600 feet easterly of Larrabee Street. All lots are greater than 10,000 square feet and served by private streets. The final maps were approved by the City Council on May 6, 1997.

Improvement construction, including grading, street, water, sewer and storm drain installation, began in 1997. The execution of new subdivision agreements is occasioned by the purchase of the property by Standard Pacific from Clearbrook-Hayward, L.P.. Upon request by the former owner, and because the majority of the public improvements are installed and are not negatively impacted by the current storms, the Public Works Director has agreed that the security amounts needed to insure the faithful performance and the labor and materials may be reduced as follows:

**Mayor and City Council  
Meeting of February 24, 1998**

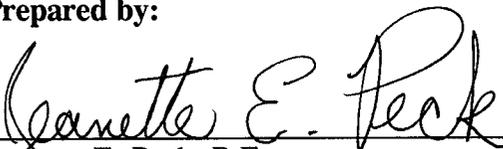
	TRACT NO. 5993		TRACT 6173	
	FROM	TO	FROM	TO
FAITHFUL PERFORMANCE	\$657,850.00	\$133,550.00	\$65,250.00	\$21,770.00
LABOR AND MATERIALS	\$657,850.00	\$133,550.00	\$65,250.00	\$21,770.00

The owner has signed new subdivision agreements, has submitted the \$133,550.00 and \$21,770.00 bonds and has provided certificates of insurance.

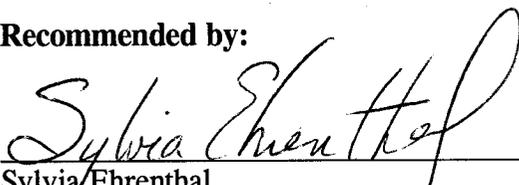
**CONCLUSION:**

Since Standard Pacific Corporation appears to be qualified to complete the project, staff recommends that the City enter into subdivision agreements with the new owner, releasing the previous owner from its obligations and releasing the previously posted securities.

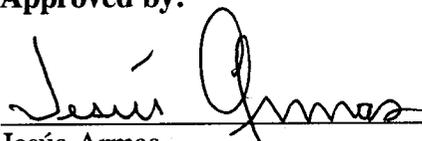
**Prepared by:**

  
\_\_\_\_\_  
Jeanette E. Peck, P.E.  
Development Review Services Engineer

**Recommended by:**

  
\_\_\_\_\_  
Sylvia Ehrental  
Director of Community and Economic Development

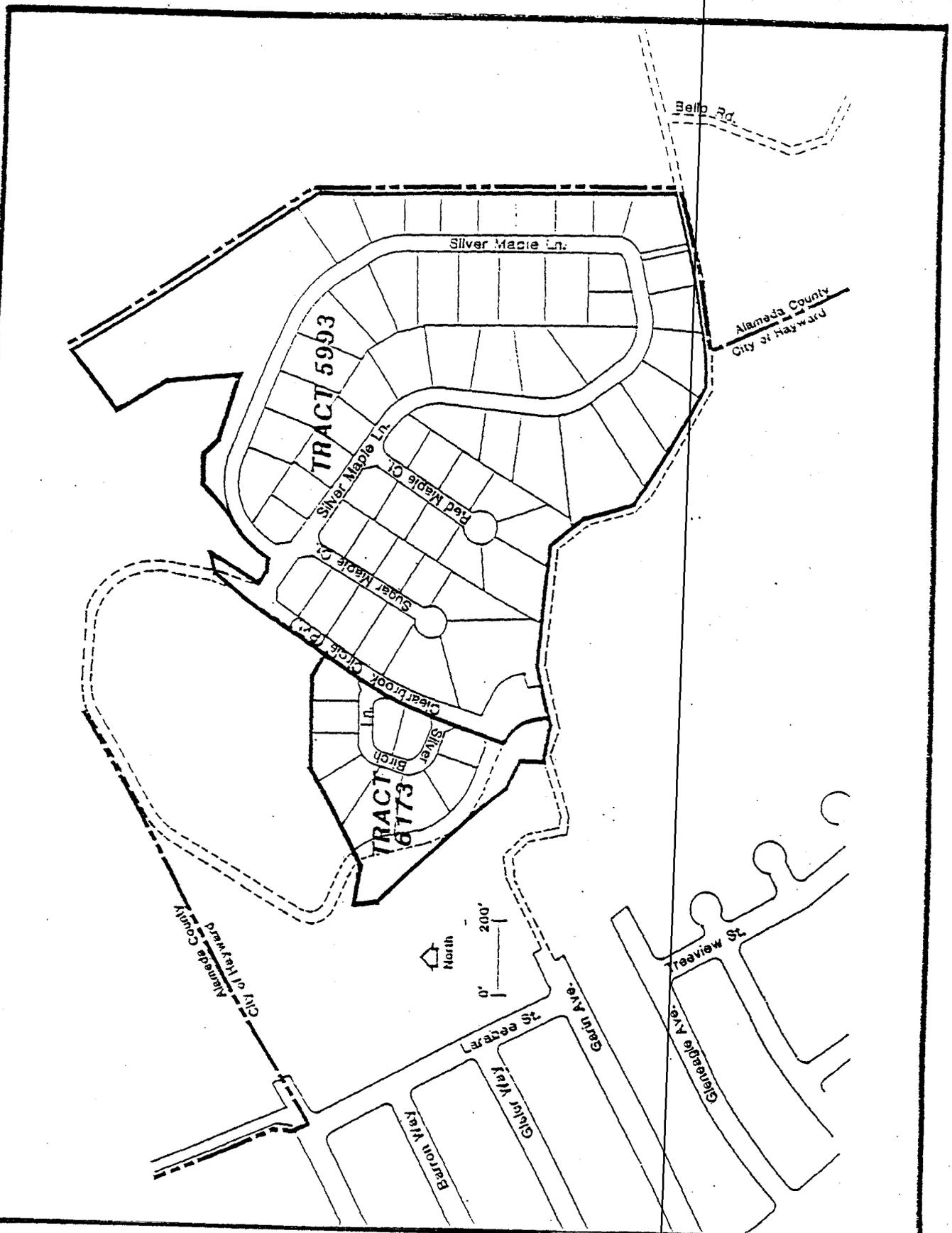
**Approved by:**

  
\_\_\_\_\_  
Jesús Armas  
City Manager

**Exhibits:**

- A. Area Map  
Draft Resolution

2/18/98 11:01 AM



AREA MAP ■ TRACT MAP 5993 AND TRACT MAP 6173  
STANDARD PACIFIC CORPORATION (SUBDIVIDER/OWNER)

**DRAFT**

2/3/98 JG

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

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

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE NEW SUBDIVISION AGREEMENTS FOR TRACTS 5993 AND 6173, AND FOR RELEASE OF OBLIGATIONS UNDER FORMER AGREEMENTS**

WHEREAS, by Resolution No. 97-053, the City Council of the City of Hayward approved final maps for Tracts 5993 and 6173; and

WHEREAS, the City Manager was authorized and did execute for and on behalf of the City of Hayward subdivision agreements for Tracts 5993 and 6173; and

WHEREAS, ownership of the properties has changed in that at the time the final maps were approved the Owner/Subdivider of the properties was an entity called Clearbrook-Hayward, L.P., and the Owner/Subdivider is now Standard Pacific Corporation; and

WHEREAS, Standard Pacific Corporation is qualified and desires to complete the development project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized for and on behalf of the City of Hayward to execute new subdivision agreements for Tracts 5993 and 6173 substantially in the form of the copy on file in the office of the City Clerk, upon consultation with the City Attorney.

BE IT FURTHER RESOLVED that, upon the execution of the new subdivision agreements for Tracts 5993 and 6173 with Standard Pacific Corporation, the previous subdivision agreements for the tracts between the City and Clearbrook-Hayward, L.P., dated July 3, 1997, shall be superseded and Clearbrook-Hayward, L.P., shall be released from its obligations under such agreements.

BE IT FURTHER RESOLVED that, upon execution of the new agreements, the City Manager is authorized to release to Clearbrook-Hayward, L.P., the security bonds for faithful performance (\$657,850) and labor and materials (\$657,850) previously posted with the City for Tract 5993, and release to Clearbrook-Hayward, L.P., the security bonds for faithful

performance (\$65,250) and labor and materials (\$65,250) previously posted with the City for Tract 6173.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 1998.

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