



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 07/13/99
AGENDA ITEM 3
WORK SESSION ITEM _____

TO: Mayor and City Council
FROM: Director of Community and Economic Development
SUBJECT: Utility Service Agreement 99-2 - Mark Edwards (Applicant/Owner) - Authorize the City Manager to Execute a Utility Service Agreement for Water Service at 3611 East Avenue

RECOMMENDATION:

That the City Council:

- 1) Authorize the City Manager to execute a Public Street Improvement Agreement and a Utility Service Agreement to provide water service for the property at 3611 East Avenue; and
- 2) Direct staff to apply to the Local Agency Formation Commission (LAFCO) for approval of the Utility Service Agreement.

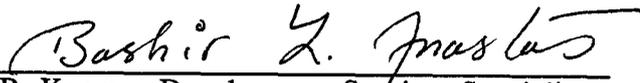
DISCUSSION:

The applicant has requested service to construct a single-family home on a parcel located on the south side of East Avenue, 400± feet west of Clover Road. The City has a water main along the property frontage on East Avenue of adequate capacity to serve the site. The property is located within the Castle Homes area, and is subject to the Castle Homes water service agreement executed in 1954. The agreement requires the City to maintain a sufficient water supply for the property, subject to a utility service agreement and reasonable conditions.

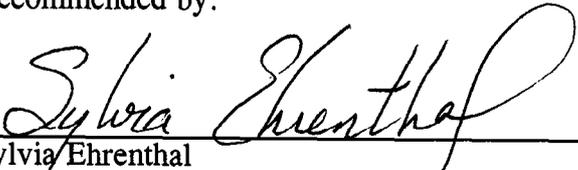
Pursuant to City policy, the applicant has executed agreements committing to install frontage improvements and tie-in paving at a future date and agreeing to annex when and if requested by the City. This is consistent with past agreements approved for providing utility service to properties outside the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

The property is slightly less than one acre in size. This application is Categorical Exempt per CEQA Guideline Section 15301(b) (existing facilities of a publicly owned utility). Upon approval by Council the City will need to apply to LAFCO for approval of the agreement. The applicant will pay all LAFCO processing costs.

Prepared by:


Tim R. Koonze, Development Services Specialist

Recommended by:

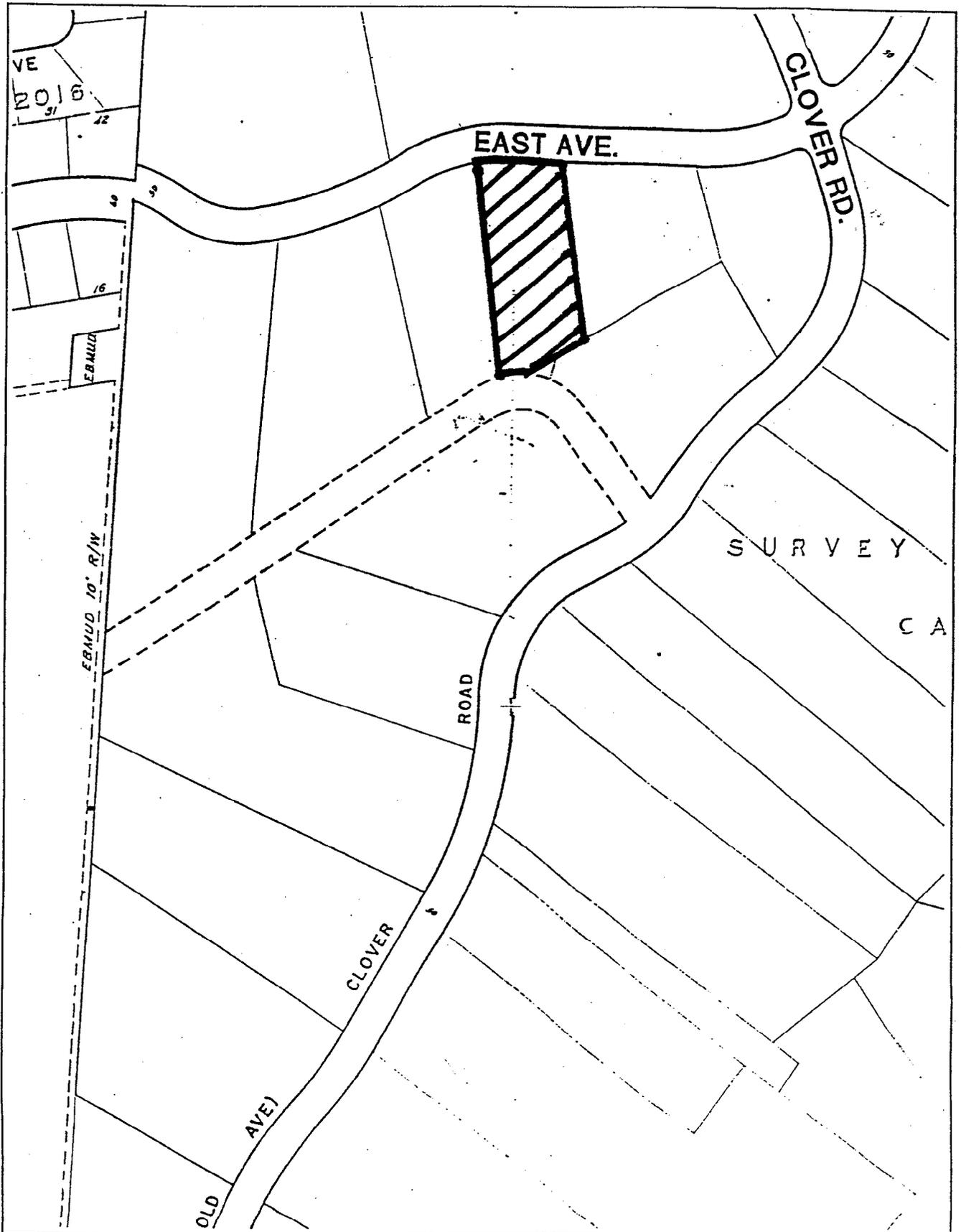

Sylvia Ehrental
Director of Community and Economic Development

Approved by:


Jesús Armas, City Manager

Attachments: Exhibit A Area Map
 Draft Resolution

7.9.99



AREA MAP ■ USA 99-2

Mark Edwards ■ 3611 East Ave.

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO LAFCO FOR APPROVAL OF A UTILITY SERVICE AGREEMENT (USA 99-2) TO PROVIDE WATER SERVICES TO PROPERTY LOCATED AT 3611 EAST AVENUE; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH AGREEMENT, AS WELL AS AN AGREEMENT FOR COMPLETION OF PUBLIC STREET IMPROVEMENTS

WHEREAS, Mark Edwards (Applicant/owner) has requested water service to a .95 ± acre parcel located on the south side of East Avenue, 400 ± feet west of Clover Road to serve a single-family home; and

WHEREAS, pursuant to City policy, the applicant has executed an agreement to install street improvements across the property frontage at a future date and agreed 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 Utility Service Agreement 99-2 in connection with property located at 3611 East Avenue.

BE IT FURTHER RESOLVED that the City Manager is also authorized to execute a utility service agreement and public street improvement agreement in the form of the agreements 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 _____, 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