



CITY OF  
**HAYWARD**  
HEART OF THE BAY

**DATE:** May 17, 2011  
**TO:** Mayor and City Council  
**FROM:** Assistant City Manager *KEM*  
**SUBJECT:** Correction to Agenda Item #10: Revised Resolution

Please see the attached revised resolution for agenda item #10. The resolution has been modified to add the following paragraph:

BE IT FURTHER RESOLVED, that the City Manager will return to City Council for approval of the preliminary Joint Powers Agreement or any document forming the Joint Powers Authority contemplated hereby after completion of initial negotiations.

HAYWARD CITY COUNCIL

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

Introduced By Council Member \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD  
AUTHORIZING THE CITY MANAGER TO NEGOTIATE A JOINT  
POWERS AGREEMENT WITH SAN FRANCISCO BAY AREA RAPID  
TRANSIT DISTRICT ("BART") TO FACILITATE PARKING AND ACCESS  
STRATEGIES AROUND THE SOUTH HAYWARD AND DOWNTOWN  
HAYWARD BART STATIONS

WHEREAS, the City of Hayward ("City") recognizes the benefits associated with managing parking and BART patron access issues at the South Hayward BART Station and at the downtown Hayward BART Station;

WHEREAS, in order to facilitate the management of parking and access issues at the South Hayward BART Station and the downtown Hayward BART Station, the City and BART desire to form a Joint Powers Authority ("JPA") pursuant to the Joint Exercise of Powers Act (California Government Code Section 65000 *et seq.*) which will operate within the jurisdiction of the City;

WHEREAS, the JPA's activities will include identifying, implementing and financing solutions to parking and access issues at the South Hayward BART Station and the downtown Hayward BART Station;

WHEREAS, in order to form the JPA, the City and BART will need to enter into a Joint Powers Agreement which will establish the governing and operational structure of the JPA in greater detail.

NOW, THEREFORE, BE IT RESOLVED that the City Council, finds the above recitals true and correct;

BE IT FURTHER RESOLVED, that the City Council hereby authorizes the City Manager to negotiate the formation of a JPA for the purposes of facilitating the management of parking and access issues at the South Hayward BART Station and the downtown Hayward BART Station.

BE IT FURTHER RESOLVED, that the City Council hereby authorizes the City Manager to negotiate a Joint Powers Agreement with BART that will further the purposes of the JPA and is otherwise consistent with the Staff Report accompanying this Resolution.

BE IT FURTHER RESOLVED, that the City Manager will return to City Council for approval of the preliminary Joint Powers Agreement or any document forming the Joint Powers Authority contemplated hereby after completion of initial negotiations.

IN COUNCIL, HAYWARD, CALIFORNIA, May 17, 2011

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 for the City of Hayward