

LEGISLATIVE DIGEST

[Margaret S. Hayward Playground - Conditional Allocation of Real Property to Department of Emergency Management]

Ordinance amending Ordinance No. 171-00, which set aside certain real property in Margaret S. Hayward Playground for the Department of Emergency Management (“DEM”) for the Combined Emergency Communications Center (“CECC”) at 1011 Turk Street, to provide DEM additional real property directly adjacent to the existing CECC and to restore to the Recreation and Park Department (“RPD”) certain subsurface real property to the east of the CECC that was previously allocated to DEM; setting aside for DEM an additional portion of Hayward Playground west of the CECC that is currently occupied by two tennis courts for a proposed new DEM building, subject to DEM’s payment of funds which RPD must use for the benefit of the Western Addition, as set forth herein; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

The Charter allows the Board of Supervisors to select and set aside, by ordinance, real property in the Margaret S. Hayward Playground for the construction of buildings and related improvements for a central communications center to help respond to City-wide emergencies. Most recently, Ordinance No. 171-00 set aside certain property in the Hayward Playground for the Department of Emergency Management (“DEM”) to operate a Combined Emergency Communications Center (the “CECC”) at 1011 Turk Street. This set-aside included the transfer of an area directly east of the CECC (the “Recreation Facilities Site”) to the Recreation and Park Commission, subject to the right of DEM to use a portion of the subsurface space under the Recreation Facilities Site (the “Additional Area for CECC”).

Amendments to Current Law

The ordinance would modify the current allocation of real property in the Hayward Playground by extending the boundary of the DEM property approximately 16 feet to the south and approximately 29 feet to the east (the “CECC Expansion”), and by restoring those portions of the subsurface Additional Area for CECC that lie outside the CECC Expansion area to the Recreation and Park Department (“RPD”). DEM will have surface and subsurface rights over the entire CECC Expansion area, and RPD will have surface and subsurface rights over the rest of the Hayward Playground. This modification will allow DEM to establish a security perimeter around the CECC, and will improve RPD’s ability to use the Recreation Facilities Site for recreational purposes.

In addition, the ordinance would conditionally set aside additional real property adjacent to and west of the CECC so that DEM can construct a new building there (the “New Building”).

AMENDED IN COMMITTEE

11/1/18

FILE NO. 180886

This portion of the Hayward Playground currently features two tennis courts that are managed by RPD. The transfer of this property to DEM would occur only if the City were to adopt a resolution by June 30, 2028 finding that DEM has secured sufficient funding to pay for the proposed New Building, and to compensate RPD for the tennis courts in the amount of \$4 million (compounding annually at 5%). Subject to any necessary environmental review, RPD would be required to use these funds to acquire park property in the area of the Western Addition known as the Western Addition Community-Based Transportation Study Area; or to plan, design, and/or construct capital improvements to existing park property in that area of the Western Addition. Alternatively, if the Recreation and Park Commission finds that the funds are not needed for these purposes, RPD could, with Commission approval and subject to any necessary environmental review, use the funds for other purposes that will expand equal access to recreational activities in that area of the Western Addition. If these conditions of transfer are not met, the property transfer for the New Building will not occur.

n:\legana\as2017\1800178\01315229.docx