CITY OF
HAYWARD
HEART OF THE BAY

City Council Agenda

June 28, 2011

Mayor Michael Sweeney
Mayor Pro Tempore Francisco Zermeño
Council Member Barbara Halliday
Council Member Olden Henson
Council Member Bill Quirk
Council Member Marvin Peixoto
Council Member Mark Salinas

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CITY OF HAYWARD
HEART OF THE BAY

CITY COUNCIL MEETING FOR TUESDAY, JUNE 28, 2011

CLOSED SESSION
Closed Session Room 2B – 5:30 PM

1. **PUBLIC COMMENTS** (*Limited to items agendized for Closed Session)*

2. Conference with Real Property Negotiators
   Pursuant to Government Code 54956.8
   - Lead Negotiators: City Manager David, City Attorney Lawson,
     Assistant City Manager Morariu, Assistant City Attorney Conneely, Project Manager DeClerq,
     Heather Gould and Polly Marshall, Goldfarb & Lipman.
     Under Negotiation: South Hayward BART Transit Oriented Development Project
     APN 078C-0441-001-29 and 078C-0441-001-28
     APN 078C-0441-001-16 and 078C-0441-001-17
     APN 078C-0441-001-23

3. Adjournment to Special Meeting

SPECIAL JOINT CITY COUNCIL/REDEVELOPMENT AGENCY/
HOUSING AUTHORITY MEETING
Council Chambers - 7:00 PM

CALL TO ORDER **Pledge of Allegiance** Mayor Sweeney

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PUBLIC COMMENTS: *(The Public Comment section provides an opportunity to address the City Council on items not listed on the agenda or Work Session, or Informational Staff Presentation items. The Council welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Council is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff.)*

ACTION ITEMS: (*The Council will permit comment as each item is called for the Consent Calendar, Public Hearings, and Legislative Business. In the case of the Consent Calendar, a specific item will need to be pulled by a Council member in order for the Council to discuss the item or to permit public comment on the item. Please notify the City Clerk anytime before the Consent Calendar is voted on by Council if you wish to speak on a Consent Item.)*

BOARDS AND COMMISSIONS

1. Appointments and Reappointments to the Hayward Youth Commission and Swearing in Ceremony
   Staff Report
   Attachment I Resolution

CONSENT

2. Approval of the Minutes of the Special City Council/Redevelopment Agency/Housing Authority Meeting on June 14, 2011
   Draft Minutes

3. Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13 – Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2012, and Set July 26, 2011, as the Public Hearing Date for Such Actions
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6. Adoption of Resolutions for Paying and Reporting the Value of Employer Paid Member Contributions for City of Hayward Employee Bargaining Groups to California Public Employees Retirement System
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7. Agreement with Wells Fargo Insurance Services, USA, Inc. for Group Insurance Broker and Advisory Services and Inclusion of the City of Hayward with the Wells Fargo Municipality Pool for Delta Dental Coverage
   Staff Report
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8. Authorization for the Executive Director to Negotiate and Execute a Contract with TRC Solutions, Inc. (TRC), and to Appropriate Funds for Additional Phase II Investigation of the Residual Burbank School Site and to Prepare a Removal Action Completion Report (RAC)
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9. Election of Mayor Pro Tempore
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10. Authorization of Inter-fund Transfer in Connection with Assignment of First-Time Homebuyer Down Payment Assistance Program Loans from the City to the Housing Authority
    Staff Report
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11. Approval of Redevelopment Agency Budget Transfer of $450,000 to Capital Improvement Program Budget, Street System Improvement Fund, for Transportation for Livable Communities Grant Matching Funds
    Staff Report
    Attachment I Resolution

The following order of business applies to items considered as part of Public Hearings and Legislative Business:

- *Disclosures*
- *Staff Presentation*
- *City Council Questions*
- *Public Input*
- *Council Discussion and Action*

PUBLIC HEARING

12. Downtown Business Improvement Area Consideration of Annual Levy
    Staff Report
    Attachment I
    Attachment II

13. Request to Change the Zoning from Medium Density Residential/SD-4 to Planned Development and to Subdivide the Property to Construct Fifty-Seven Detached Single Family Homes - Zone Change Application No. PL-2010-0403 and Vesting Tentative Tract Map Application No. PL-2010-0405 – Perry Hariri of Urban Dynamic (Applicant); City of Hayward (Owner). The project site is located at the Southwest Corner of B Street and Myrtle Street east of Burbank Elementary School.
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    Attachment VI Mitigation Monitoring and Reporting Program
    Attachment VII Solar Site Plan
    Attachment VIII Planning Commission Staff Report
    Attachment IX PC Meeting Minutes
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LEGISLATIVE BUSINESS

14. Agreement for the Purchase and Sale of Real Property between the City of Hayward and Urban Dynamic, LLC for the Construction and Sale of Fifty-Seven Detached Single Family Homes - the Property is Located at 353 B Street
    Staff Report
    Attachment I
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COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Oral reports from Council Members on their activities, referrals to staff, and suggestions for future agenda items

ADJOURNMENT

PUBLIC COMMENT RULES: The Mayor may, at the beginning of the hearing, limit testimony to three (3) minutes per individual and five (5) minutes per an individual representing a group of citizens or organization. Speakers will be asked for their name and their address before speaking and are expected to honor the allotted time. A Speaker's Card must be completed by each speaker and is available from the City Clerk at the meeting.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing or legislative business item listed in this agenda, the issues in the lawsuit may be limited to the issues that were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

Materials related to an item on the agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, City Hall, 777 B Street, 4th Floor, Hayward, during normal business hours. An online version of this agenda and staff reports are available on the City's website. All Council Meetings are broadcast simultaneously on the website and on Cable Channel 15, KHRT. *

JULY 5, 2011 MEETING *** CANCELED ***

NEXT SPECIAL MEETING – 7:00 PM, TUESDAY, JULY 12, 2011

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or TDD (510) 247-3340.

CITY OF
HAYWARD
HEART OF THE BAY

____1____

DATE: June 28, 2011

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Appointments and Reappointments to the Hayward Youth Commission

RECOMMENDATION

That the City Council adopts the attached resolution confirming the appointment of six new members to the Youth Commission, and the reappointment of five continuing Youth Commissioners.

BACKGROUND

On May 26, 2011, a panel consisting of two members from the City Council, one member from the Hayward Unified School District board, two members from the Hayward Area Recreation and Park District Board, and three Hayward Youth Commission advisors conducted twenty-four interviews to fill six vacancies on the Hayward Youth Commission. The panel recommended six new members for appointment and confirmed five reappointments of existing members. As vacancies occur throughout the year, appointments will be made from the alternate list of three candidates that was established.

NEW APPOINTMENTS:

Terms expire June 2013:

Alejandra Melgoza	(succeeds James Dixon)
Reejima Agrawal	(succeeds Lauren Quan)

Terms expire June 2012:

Karra Gardin	(succeeds Cindy Dam)
Nadia Faraj	(succeeds Simanpreet Jhattu)
Aaron Torres	(succeeds Shelby Long)
Jahlan Loché	(succeeds James Work)

REAPPOINTMENTS:

Terms expire June 2013:

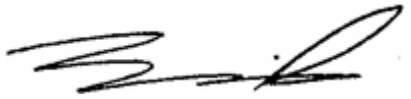
Sarahi Bautista
Elmer Beltran
Diego Castro
Dayana Morales
Jasmine Rodriguez

ALTERNATE LIST:

Pedro Mendoza
Marcus Smith
Nina-Marie Tauscher

Recommended by: Miriam Lens, City Clerk

Approved by:



_____
Fran David, City Manager

Attachment:

Attachment I Resolution Establishing Appointments and Reappointments

ATTACHMENT I

HAYWARD CITY COUNCIL

RESOLUTION NO. 11-

Introduced by Council Member _____

RESOLUTION APPOINTING AND REAPPOINTING
MEMBERS TO THE YOUTH COMMISSION

BE IT RESOLVED that the City Council of the City of Hayward confirms the following new appointments of the below-named persons as members of the Youth Commission, for the terms as designated:

Term expiring June 2012:

Karra Gardin (succeeds Cindy Dam)

Nadia Faraj (succeeds Simanpreet Jhattu)

Aaron Torres (succeeds Shelby Long)

Jahlan Loché (succeeds James Work)

Term expiring June 2013:

Alejandra Melgoza (succeeds James Dixon)

Reejima Agrawal (succeeds Lauren Quan)

BE IT FURTHER RESOLVED, that the City Council of the City of Hayward hereby confirms the following re-appointments of the below-named persons as members of the Youth Commission, for the terms as designated, and the list of alternatives:

Term expiring June 2013:

Sarahi Bautista

Elmer Beltran

Diego Castro

Dayana Morales

Jasmine Rodriguez

Alternate List:

Pedro Mendoza

Marcus Smith

Nina-Marie Tauscher

IN COUNCIL, HAYWARD, CALIFORNIA _____, 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 of the City of Hayward

MINUTES OF THE SPECIAL CITY COUNCIL/REDEVELOPMENT AGENCY/HOUSING AUTHORITY MEETING OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, June 14, 2011, 7:00 p.m.

MEETING

The Meeting of the City Council was called to order by Mayor Sweeney at 7:00 p.m., followed by the Pledge of Allegiance led by Council Member Quirk.

ROLL CALL

Present:	COUNCIL/RA/HA MEMBERS Zermeño, Quirk, Halliday, Peixoto, Salinas, Henson MAYOR/CHAIR Sweeney
Absent:	COUNCIL/RA/HA MEMBER None

CLOSED SESSION ANNOUNCEMENT

Mayor Sweeney reported that Council met pursuant to Government Code 54957.6, regarding labor negotiations, and there was no reportable actions taken.

PRESENTATION

Youth Commission Scholarship Awards

Council Member Zermeño, as the Hayward Youth Commission Liaison, noted the Hayward Youth Commission was actively involved in supporting youth by organizing scholarships and invited representatives from the Commission and Commission Advisor Shawna Sherman to come to the podium. Youth Commissioners in attendance were: Jasmine Rodriguez, Alex Harmon, Sarahi Bautista, Claudia Canales, Elmer Beltran, Diego Castro, and James Dixon. Sarahi Bautista explained the scholarship process in terms of funding and selection criteria. The following students were awarded with the scholarships: Gloria Vo, Isis Cano, Vianca Gonzalez, Arianne Riley, Bushra Samimi, and Mary Dinh.

PUBLIC COMMENTS

City Manager David announced that the City had just been informed that a two-bill proposal, SB14X and SB15X, was introduced to the State Legislature. She noted that part one would eliminate the Redevelopment Agency (RDA) and part two would require $1.7 billion in give backs from local government. Ms. David encouraged the community to communicate to their legislators concerns about the proposed elimination of the RDA. Mayor Sweeney noted he left messages for State legislators expressing his concerns with the proposed RDA elimination and urged others to do the same.

Ms. Lolita Morelli, Manager of the Hayward Municipal Band, said the band has been performing since 1957, and noted it fostered a strong community bond. She said it was important to preserve programs that encouraged traditional family outings and asked Council to support and continue funding the band.

Mr. Steve Bristow read a letter from Linda Bristow noting that the loss of the Volunteer Coordinator position at the Animal Shelter would negatively impact the volunteer programs. She requested that Council consider funding the Volunteer Coordinator position at least part-time and restoring the full-time position when funding is available.

Mr. Seth Siegel, 211 Manager at Eden I&R speaking on behalf of Executive Director Barbara Bernstein, shared the multitude of services the 211 Program provided Hayward residents and outlined how the program helped the City save money. He spoke about the program funding sources and how these funds are matched by the private sector. Mr. Siegel thanked Council in advance for funding the Eden I&R 211 Program.

Ms.Wynn Grcich, Industrial Parkway SW resident, discussed State Assembly Bill 2283 that allows liquid cremations and the potential dangers to the public this will cause by adding more carcinogens to the water. She submitted a DVD "The Fluoride Deception" by Christopher Bryson, and asked that it be made available to the public.

City Clerk Lens invited all to the Open House for City's Boards, Committees, Commissions and Keep Hayward Clean and Green Task Force, on June 30, 2011, from 5:30 to 7:30 p.m.

Mr. Kim Huggett, President and CEO of the Hayward Chamber of Commerce, invited the community to the first Downtown Hayward Street Party of the summer, on Thursday, June 16, 2011, from 5:30 to 8:30 p.m., and subsequent parties on July 21, August 18, and September 17, 2011.

Ms. Gail Lundholm, Markham Court resident, retired City employee, past Board Member of Sun Gallery, past President of the Hayward Arts Council and current Board Member and Manager of the Cinema Place Gallery, urged Council to fund the Hayward Arts Council because of the reliable resources and leadership they have and continue to provide.

Ms. Doris Rodriguez, former City Council Member, spoke in favor of funding the Hayward Arts Council and acknowledged the budgetary difficulties Council is facing. Ms. Rodriquez clarified that the Hayward Arts Council has been invited to move to the Hayward Historical Society, but at a cost of $350 per month plus utilities, security, janitorial, and garbage services.

Ms. Marlene Teel-Heim, Columbia Way resident, read an excerpt in response to the "back to basics in school." Ms. Teel-Heim said it was important to view the arts as part of an integral life experience.

Mr. Jim Drake, Franklin Avenue resident, thanked City Clerk Lens and City Manager David for their service and assistance. Mr. Drake spoke about safety and liability issues with the ongoing construction on Mission Boulevard and asked if the Top Grade bid included Caltrans safety

requirements. Mayor Sweeney suggested Mr. Drake speak with Director of Public Works Bauman regarding his concerns.

Mr. William Gonsalves, Hathaway Avenue resident, thanked Council for their service, spoke in favor of funding the Hayward Municipal Band, and shared how Sunday afternoon concerts were an American tradition. He submitted a letter from his spouse, Elva M. Gabriel, in support of the Hayward Municipal Band.

Ms. Carol Morgan, Mallard Court resident, representing the Youth Orchestra of Southern Alameda County (YOSAC), acknowledged the budgetary constraints and gratitude for any funding the Council could provide.

Mr. Charlie Peters, representing Clean Air Performance Professions (CAPP), submitted a Wall Street Journal newspaper article, "Senate Rejects Effort to Cut Ethanol Subsidy," June 14, 2011, by Siobhan Huges, and commended Council for their action in writing a letter to Senator Feinstein in support of Senate Bill 781. He reported that he will be meeting with the State and Consumer Services Deputy Secretary on Monday.

Ms. Valerie Caveglia, Hillcrest Avenue resident and Sun Gallery President, encouraged the public to help save the Sun Gallery and presented the Gallery's programs for the community which included art education. Ms. Caveglia noted folks could access the Sun Gallery's website, www.sungallery.org and contribute donations.

Ms. Amy Nelson-Smith, Sun Gallery Treasurer, said that half of Sun Gallery's funding comes from the City. Ms. Nelson-Smith spoke about the free or low cost programs offered by the gallery. She said the gallery contributes highly to the culture of Hayward and asked for Council's support. She invited the public to visit the Gallery and view the current exhibit "Art of the Blues."

Ms. Diane Fagalde, Tyrrell Avenue resident, asked Council to help with parking problems on Tennyson Road, where people constantly sell cars. Ms. Fagalde also mentioned nuisance problems with neighbors and requested a copy of the Noise Ordinance. Mayor Sweeney asked staff to provide Ms. Fagalde with copies of the Noise Ordinance and directed staff to inform Council and Ms. Fagalde when the parking issue on Tennyson Road is scheduled to be heard by Council.

Ms. Audrey LePell, Ocie Way resident and Sun Gallery Board Member, asked Council for their support. Ms. LePell said the gallery was a landmark for Hayward as it was the first gallery where art was professionally displayed in the East Bay. Ms. LePell said the Sun Gallery was responsible for the maintenance of the building and asked for Council's continued support.

Ms. Barbara Berrner, Castro Valley resident, gave a brief synopsis of the Hayward Arts Council mission and spoke about the many programs that are run by volunteers that encourage emerging artists. Ms. Berrner requested Council's support with funding.

Council Member Quirk thanked the speakers and mentioned there will be a two-step process that includes a Work Session where the City Manager's Office would be presenting the Community Promotions Program, and a Public Hearing where Council will take action.

WORK SESSION (60-Minute Limit)

1. City of Hayward, Hayward Redevelopment Agency, and Hayward Housing Authority Operating Budget for Fiscal Year 2012

   Staff report submitted by City Manager David and Interim Finance Director Stark, dated June 14, 2011, was filed.

City Manager David mentioned this would be the last of the work sessions regarding the Recommended Operating Budget Fiscal Year 2012.

Maintenance Services Director McGrath gave an overview of the Maintenance Service Department accomplishments. Mr. McGrath presented proposed staff reductions and indicated priorities are not going to change.

Mayor Sweeney expressed Council's appreciation for the Maintenance Service's phenomenal job with the Keep Hayward Clean and Green Task Force and the resolution of issues presented at Neighborhood Partnership meetings.

Council Member Henson echoed the Mayor's comments and offered encouragement to staff during these difficult times. In response to Mr. Henson's question concerning plans for migration to sustainable vehicles, Maintenance Services Director McGrath responded that currently the only planned purchase will be patrol vehicles and that staff will continue to research electric charging stations. At the request of Mr. Henson, staff clarified the LLD/MD Contributions and Revenue under the All Funds Summary – By Category in the Recommended Operating Budget Fiscal Year 2012.

Council Member Peixoto complimented Maintenance Services Director McGrath on the improvement of graffiti abatement efforts. At the request of Mr. Peixoto, Mr. McGrath commented on the differences between residential one time clean-up of bulky items and the new problem of household items being left on the street as a result of the economy and people being forced to vacate residences.

Council Member Salinas echoed his colleagues' congratulations to the Maintenance Department for their efforts to keep the City clean and noted receiving positive public comments in the downtown area and transportation corridors. Mr. Salinas said the painted utility boxes have decreased graffiti activity and asked why AT&T was opposed to participating. Director of Public Works Bauman said AT&T has a company-wide policy that does not allow painting of their boxes and noted AT&T maintains their own boxes. Mr. McGrath explained the Community Preservation abatement process for private property issues begins once a problem is reported.

Council Member Zermeño commended the Maintenance Services Department for keeping the City clean. In response to challenges due to budget constraints, Maintenance Services Director McGrath noted he plans to prioritize graffiti abatement efforts and planting more trees.

Council Member Halliday echoed the comments and complimented the use of citizen volunteers during this difficult budget time. Ms. Halliday asked how the reduction in staff is going to impact the volunteers. Maintenance Services Director McGrath said that by working with the community and with the coordinated efforts of staff and volunteers the work will get accomplished. City Manager David confirmed for Ms. Halliday the revenue received from collected citation fees goes into the General Fund. Ms. Halliday thanked staff and the community and highlighted the importance of the community staying vigilant to stop graffiti and other actions

Technology Services Director Priest provided a summary of the budget for the Technology Services Department.

Council Member Henson thanked Technology Services Director Priest, his staff, and the support of the Council Technology Application Committee (CTAC) and asked what staff has done to reduce overall expenditures to the City. Mr. Priest explained cost savings accomplished by converting the telephone system to a voice-over the internet protocol (VoIP) digital system with a savings of over 85% from the original cost of half a million. He spoke about consolidating networks to eliminate duplicity and about "greening" some of the systems. Mr. Priest noted staffs' efforts were always with the goal of creating cost effective technology and reducing operating costs. Mr. Henson mentioned the CTAC is working on the interoperability issue.

City Attorney Lawson gave an overview of the City Attorney's budget as presented in the Recommended Operating Budget FY2012. Mr. Lawson said the reduction in staff will not reduce core services related to litigation or how resources are aligned with Council priorities. Mr. Lawson went over the department's accomplishments and the positive trends in managing claims and lawsuits.

In response to Council Member Salinas' question about how much Oakland has spent on litigation related to gang injunctions, City Attorney Lawson responded that Oakland has spent approximately $1.5 million and has contracted most of the litigation to a private law firm. Mr. Lawson noted for Council that Hayward's proposed Gang Injunction Program is being handled by staff attorneys.

Council Member Halliday commended City Attorney Lawson for the positive trend in the management of claims and the reduction of costs. Mr. Lawson clarified for Ms. Halliday the required number of years of experience for the Deputy City Attorney II classification was at least three years of experience and the Assistant City Attorney level required five years of experience. He mentioned the Deputy City Attorney I is an entry level position and would not be productive to meet the needs of the City Attorney's Office.

City Attorney Lawson confirmed for Council Member Henson the FY2012 overall projected savings of $400,000 represented the elimination of the Legal Secretary I position and projected savings in claims litigation and outside counsel expenses. In response to Mr. Henson, Mr. Lawson explained the combination of activities necessary to monitor the Green Shutter Hotel.

Council Member Quirk explained for the community that the attorneys, department directors, Council, as well as Police and Fire Department had made concessions that enabled the City to continue providing services.

Council Member Zermeño mentioned the success of the Youth Commission was due part to City Attorney Lawson's efforts.

Assistant City Manager Morariu gave an overview of the City Manager's Office budget.

Mayor Sweeney asked that the last bullet point under Core Services that address Council Priorities be moved to the top of the list and the language revised to read, "Support Council Priorities."

Council Member Quirk acknowledged the City Manager for being frank about the economic situation and for notifying Council that action needed to be taken. Mr. Quirk noted that he would like to see the Community Promotions Program funded through the Redevelopment Agency, but if that was not possible, then suggested funding the $68,000 from the General Fund.

Assistant City Manager Morariu explained for Council Member Peixoto the different outreach methods utilized for the Neighborhood Partnership meetings and how staff continually researched options for outreach. Mr. Peixoto commented he would like more participation at the meetings and suggested more door to door outreach. He suggested reviewing the list of items identified at the initial meetings and showing the corrective actions taken. Mr. Peixoto suggested this would be an effective tool for Council to interact with the community and obtain feedback.

Council Member Halliday commented on the budget dilemma and the uncertainty of what type of money the City will receive. She said the City has utilized Redevelopment Agency funds wisely and mentioned calling Assemblywoman Hayashi and State Senator Corbett to ask them to leave RDA funding as is. City Manager David explained, if the RDA is eliminated, it would be difficult to project property tax revenue because various State bills contained different proposals of how it would be divided.

Council Member Henson thanked City Manager David for her efforts in changing the budget infrastructure and making it more realistic. Mr. Henson said he was confident the City would prevail through these budget difficulties. He supported the revised grant recommendations and the Mayor's revisions to the placement and wording of the Council Priorities. Mr. Henson commented that economic development should be more prominently mentioned as it will play a major role in the next fiscal year and acknowledged the efforts of Economic Development Manager Brooks.

Council Member Zermeño noted a need for collaborative efforts on the part of the arts supporters. He supported funding the arts program.

Council Member Salinas suggested the Community Promotions Program have a first class city-wide festival to raise money, as other cities have successfully done, to fund community programs and noted the infrastructure already exists with the Summer Street Parties that draw people to the downtown area. Mr. Salinas mentioned the phenomenal "Taste of Hayward" event that generated enthusiasm among the community. He commended Economic Development Manager Brooks for his efforts. Mr. Salinas said he was fully supportive of the arts, but cautioned that utilizing funds from the General Fund would increase debt.

Council Member Halliday pointed out that Council Members also participated in the 13% reduction in compensation as recommended by City Manager David and thanked Ms. David for the inclusion of the Council's Departmental Performance. Ms. Halliday mentioned that Council has participated in a number of other activities during the past fiscal year including representing Hayward in other regional agencies, establishing policies for overseeing the three appointees, and attempting to preserve the RDA.

Council Member Henson echoed that Council met the 13% concession target.

Interim Finance Director Stark provided a wrap up of General Fund Reserves and Designation. Due to the Governmental Accounting Standards Board recent GASB 54 update, Ms. Stark recommended changes to the "Reserves and Designations" and said staff will be making a presentation in July to the Council Budget and Finance Committee. She also pointed out the City Manager's and Fire Chief's alternatives for retaining Certified Unified Program Agencies (CUPA) was included in the staff report for the Public Hearing.

Mayor Sweeney said that having the budget work session and public hearing on the same day was not effective. Mayor Sweeney indicated to staff that Council had approved its Priorities earlier in the year and by referring to them as "draft" minimizes Council's efforts and decisions.

CONSENT

2. Approval of the Minutes of the Special City Council/Redevelopment Agency/Housing Authority Meeting on May 31, 2011

It was moved by Council/RA/HA Members Henson and Zermeño, seconded by Council/RA/HA Member Peixoto, and carried unanimously, to approve the minutes of the Special Joint City Council/Redevelopment Agency/Housing Authority Meeting of May 31, 2011.

3. Sidewalk Rehabilitation and Wheelchair Ramps FY 2011 – District 2 and 3: Approval of Plans and Specifications and Call for Bids

Staff report submitted by Deputy Director of Public Works Fakhrai, dated June 14, 2011, was filed.

It was moved by Council Members Henson and Zermeño, seconded by Council Member Peixoto, and carried unanimously, to adopt the following:

> Resolution 11-071, "Resolution Approving Plans and Specifications for the Sidewalk Rehabilitation and Wheelchair Ramps FY 2011 Project, Project Nos. 5135 and 5119, and Call for Bids"

4. Adoption of a Resolution Authorizing the City Manager to Execute an Agreement for Workers' Compensation Claims Administration Services

> Staff report submitted by Human Resources Director Robustelli, dated June 14, 2011, was filed.

It was moved by Council Members Henson and Zermeño, seconded by Council Member Peixoto, and carried unanimously, to adopt the following:

> Resolution 11-072, "Resolution Authorizing the City Manager to Execute an Agreement for Workers' Compensation Claims Administration Services"

5. Downtown Business Improvement Area Annual Report and Proposed Budget for FY 2012

> Staff report submitted by Redevelopment Project Manager Ortega, dated June 14, 2011, was filed.

It was moved by Council Members Henson and Zermeño, seconded by Council Member Peixoto, and carried unanimously, to adopt the following:

> Resolution 11-073, "Resolution Accepting Annual Report and Declaring Intention to Levy Annual Assessments for the Downtown Hayward Business Improvement Area for the Fiscal Year 2012 and Providing for Notice of Hearing Thereon"

Mayor Sweeney noted that because he works for Spectrum Community Services, he needed to recuse himself from participating in the discussions for Social Services funding, and turned the gavel over to Mayor Pro Tempore Zermeño who presided the meeting at 9:45 p.m. Mayor Sweeney left the Council Chambers.

PUBLIC HEARING

6. Public Hearing for City of Hayward, Hayward Redevelopment Agency, and Hayward Housing Authority Operating Budget for Fiscal Year 2012, and the Proposed Capital Improvement Program Budget for Fiscal Years 2012 through 2020

City Manager David gave an overview of the report regarding the FY 2012 17% Adjustment to Social Services Funding Recommendations.

Council Member Halliday commented that given the staff reductions the budget recommendations were appropriate, but added that Social Services funding served a population in need. In response to Council Member Halliday's question about the funding process that Human Services used this year, Library and Community Services Director Reinhart noted that there was no funding process this year, but in April 2010, a two-year budget was recommended, and at that time second year financial challenges were taken into consideration when assigning percentages for each funding recommendation. Mr. Reinhart clarified for Ms. Halliday that the 17% reduction was consistent with what the General Fund was experiencing overall for FY 2012.

City Manager David confirmed for Council Member Salinas that if the 17% reduction was not accomplished, the impact to the reserves would be an increase of approximately $70,000.

Council Member Henson agreed the requesting agencies served those most in need and asked about budget impacts to other funding sources. Library and Community Services Director Reinhart noted that given the tough economic times, budgetary impacts are common throughout local government jurisdictions.

There being no public comments, Mayor Pro Tempore Zermeño opened and closed the hearing at 9:55 p.m.

Council Member Quirk moved the item per staff recommendation to include the FY 2012 17% adjustment to the Social Services Program funding as part of the budget recommendation on June 21, 2011. Council Member Henson seconded the motion reluctantly.

Council Member Halliday reluctantly supported the motion and said she hoped when the economic situation improved that the City would be able to restore the commitment made to fund the Social Services Programs that help the population who needed it the most.

It was moved by Council Member Quirk, seconded by Council Member Henson, and carried with Mayor Sweeney absent, to approve staff recommendation and include the FY 2012 17% adjustments to the Social Services Program funding as part of the budget recommendation on June 21, 2011.

Mayor Sweeney returned to the Council Chambers at approximately 9:55 p.m.

Interim Finance Director Stark provided an overview of the operating budget as presented in the report.

City Manager David pointed out there were three options regarding the Eden I&R 211 Program: not fund it, use $50,000 from the Reserve Fund to maintain previous levels, or apply the same 17%

reduction as other Social Services agencies. In considering Council Priorities, Ms. David questioned the recommended elimination of the Community Preservation Inspection position and asked for direction from Council.

There being no public comments, Mayor Sweeney open and closed the public hearing at 10:03 p.m.

Council Member Quirk said Council had received both testimony and written communication about Eden I&R 211 Program services and reiterated the proposed funding amount was .05 percent of the total budget. He stated he preferred the program to be fully funded out of reserves and that an exception should be made because of the importance of the Social Services Program. Mr. Quirk made a motion to ask staff to incorporate into the budget a recommendation to fund the Eden I&R 211 Program with $50,000 taken from the Reserve Fund for FY 2012. Council Members Peixoto and Zermeño seconded the motion.

Council Member Henson agreed with the motion and mentioned he was always supportive of the Eden I&R 211 Program. He mentioned how the program offers a variety of services that reached a diverse population and that the program services were not duplicated by another agency.

Council Member Peixoto noted he reviewed the program statistics and spoke highly of the Eden I&R 211 Program. He said the program put together all the social services that are available and how the program is a much needed service that primarily serves the City's residents. Mr. Peixoto supported the motion.

Council Member Halliday was in agreement with her colleagues in supporting the Eden I&R 211 Program. She said the Program was utilized by a diverse population and explained the importance of funding it. Ms. Halliday hoped the funds would be available through the RDA or property tax revenue as she did not want the reserve fund further impacted.

Council Member Salinas supported the motion and noted reviewing the Eden I&R 211 Program reports, emphasizing that program services help families. Mr. Salinas mentioned that by supporting the Eden I&R 211 program the City will be able to help those most in need.

It was moved by Council Member Quirk, seconded by Council Members Peixoto and Zermeño, and carried unanimously, to ask staff to incorporate into the budget a recommendation to fund the Eden I&R 211 Program with $50,000 from the Reserve Fund for FY 2012.

Mayor Sweeney suggested the next item to discuss be the Community Promotions Program funding. City Manager David recommended the same funding as in FY2011 with the $68,000 coming from the RDA, recognizing that, should the RDA be eliminated, there could be a risk to the General Fund which would add to the deficit. Ms. David said it was important to inform the Community Promotion Program's agencies of funding decisions.

Mayor Sweeney said it was important to be honest with agencies and in the next fiscal year there could be further funding reductions. He agreed with City Manager David on the uncertainty of funding depending upon the State's actions.

Council Member Quirk made a motion to direct staff to include in budget recommendations funding for FY2012 Community Promotions similar to last year using RDA funds with the understanding that if RDA funds were not available, the Council Economic Development Committee (CEDC) would need to make early recommendations for the next fiscal year. Council Member Henson seconded the motion.

Council Member Salinas agreed with Mayor Sweeney about the importance of the Council being frank and honest with the community regarding the impact to the General Fund if the RDA was eliminated. Mr. Salinas supported the motion.

Council Member Zermeño reiterated his promotion of a collaborative effort among the art community as an effective tool when asking for support. He commented on the importance of preserving Hayward's arts and reminded the community to "Shop Hayward First" as it will promote and stimulate the local economy.

Council Member Henson supported the motion and agreed with the Mayor about being honest about the RDA and the economic situation. He felt the City was being held hostage by the State while at the same time, Council needed to address the needs of the community who look to the City during tough economic times. Mr. Henson said residents need the activities of the Community Promotions Programs as it helps bring the community together.

Council Member Halliday thanked the speakers and for the written communications in support of the arts and shared she was also passionate about the arts. She felt there should be some funding for the arts and the community needed to do their part in supporting the arts.

Council Member Peixoto supported the motion and pointed out that the budget cuts were very serious as they were impacting other City services. He commented that he believes in the arts and felt Council should take the risk by using General Funds. Mr. Peixoto said this fell under the category of reasonable risks.

It was moved by Council Member Quirk, seconded by Council Members Henson, and carried unanimously, to direct staff to include in the budget recommendations funding for FY2012 Community Promotions similar to last year using Redevelopment Agency (RDA) funds with the understanding that if RDA funds are not available, the Council Economic Development Committee (CEDC) would need to make early alternative recommendations for the next fiscal year.
Mayor Sweeney asked City Manager David to repeat her comments regarding the Community Preservation Inspector position recommended for reduction. Ms. David said after further consideration, she felt the recommendation should be left as originally stated which was to reduce the Community Preservation Inspector positions by one.

Mayor Sweeney noted the additional analysis regarding retaining the Certified Unified Program Agency (CUPA) presented by the City Manager David and Fire Chief Bueno, and added that

Council would like to see the proposed cost saving measures implemented for FY 2012. He also suggested that staff revise police staffing levels from 188 to 190 and asked the City Manager to work with the Police Chief to develop appropriate language and added that the source of funding would be the Reserve Funding.

Mayor Sweeney made a motion per staff recommendation to not eliminate the two Hazardous Materials staff positions identified by the Fire Department and to improve the CUPA Program designation and implement overtime savings in FY 2012, and to direct staff to revise police staffing levels from 188 to 190 using funding from Reserve Funds. Council Member Zermeño seconded the motion.

Council Member Quirk said if Police staffing levels were raised to 190, the deficit would increase, therefore, he would be voting against the motion.

Council Member Henson mentioned public safety and crime reduction were part of Council Priorities and to raise the Police staff level to 190 was reasonable. He supported the motion and stated Police staffing levels need to be maintained for public safety.

It was moved by Mayor Sweeney, seconded by Council Members Zermeño, and carried with Council Member Quirk voting no, per staff recommendation to not eliminate the two Hazardous Materials staff positions identified by the Fire Department and to improve the CUPA program designation and implement overtime saving in FY 2012, and to direct staff to revise police staffing levels from 188 to 190 to be funded from Reserve Funds.

Council Member Quirk said the Reserve Fund will be discussed at the next Finance and Budget Committee meeting. He expressed concern about the impact staff reductions would have to Development Services Department - Permit Center services. Mr. Quirk made a motion to maintain service levels in permits and inspections through contract services which would be paid for by the collected fees.

At the request of the Mayor, City Manager David said staff would have to look within the budget to support contract services. Ms. David mentioned staff would try to have the contract services funded through fees but that was not a guarantee.

The motion on the floor died for lack of a second.

Mayor Sweeney mentioned the Recommended Operating Budget Fiscal Year 2012 would come back next week, June 21st, 2011, and the public would have the opportunity to speak. The Mayor thanked staff for the good work.

LEGISLATIVE BUSINESS

7. Approval of Certain Financing for Affordable Housing at the South Hayward BART Station Transit-Oriented Development Project

Staff report submitted by Project Manager DeClercq, dated June 14, 2011, was filed.

Assistant City Manager Morariu provided a synopsis of the report.

Assistant City Manager Morariu clarified for Council Member Halliday that funds can only be used for affordable housing. At Ms. Halliday's request, John DeClerq, Consultant, explained the $16.2 million infrastructure budget was for the Perry & Key site improvement, the garage that serves the affordable housing element, and the land for the park. He added that current funding did not include any improvements to the BART station.

Council Member Peixoto asked if the designation of a "minor modification" had been resolved, and City Manager David confirmed that if the City designated the change as a "minor modification" the State would accept it. In response to Mr. Peixoto's inquiry about the State potentially questioning the designation, Mr. Tony Stowski, Wittek-Montana Group, explained that, had a public vote occurred it would have triggered an issue with the State.

In response to Council Member Henson's inquiry about the Joint Powers Agreement (JPA), Assistant City Manager Morariu confirmed that staff had resolved all issues with BART and the item was going before the BART Board on June 23rd. She mentioned staff, both internal and external counsel, and BART, were reviewing a Draft JPA and there would be a work session on July 12th, to present Council with the elements of the JPA. Ms. Morariu noted staff would be bringing all items forward on July 26th Council meeting.

Mayor/Chair Sweeney opened the public hearing at 10:43 p.m.

Ms. Andrea Papanastassion with Eden Housing thanked Council for their support and expressed Eden Housing's excitement about being able to move forward with the project.

Mayor/Chair Sweeney closed the public hearing at 10:44 pm

Council/RA/HA Member Henson moved the item per staff recommendation. Council/RA/HA Member Halliday seconded the item.

It was moved by Council/RA/HA Member Henson, seconded by Council/RA/HA Member Halliday, and carried unanimously, to adopt the following:

> Resolution 11-074, "Resolution Authorizing the City Manager to Negotiate and Execute Loan Documents Between the City of Hayward and Eden Housing, Inc., for a Loan to Fund the Development of Approximately One Hundred Fifty One Units of Affordable Housing"

HA Resolution 11-02, "Resolution Authorizing the Executive Director to Negotiate and Execute an Assignment and Assumption Agreement for Predevelopment Loan Made by the Redevelopment Agency of the City of Hayward and to Negotiate and Execute Loan Documents Between the Housing Authority of the City of Hayward and Eden Housing, Inc., for a Low and Moderate Income Housing Fund Loan to Fund the Development of Approximately One Hundred Fifty One Units of Affordable Housing"

RA Resolution 11-10, "Resolution Approving Assignment of a Predevelopment Loan Agreement by and Between the Redevelopment Agency of the City of Hayward and Eden Housing, Inc., to the Housing Authority of the City of Hayward"

8. Consideration of Alameda County Redistricting Proposals for the Five Supervisorial Districts

Staff report submitted by Deputy Director of Public Works Fakhrai, dated June 14, 2011, was filed.

City Manager David provided a synopsis of the report.

There being no comments Mayor Sweeney opened and closed the public hearing at 10:46 p.m.

Council Member Salinas made a motion to accept the staff recommendation and authorized the Mayor to communicate Council's position to the Board of Supervisors and other entities its preference for Map A. Council Members Zermeño and Peixoto seconded the motion.

Council Member Zermeño commented that once the City's boundaries were divided it would be difficult to reinstate existing boundaries.

Council Member Halliday supported the motion and mentioned Map A also retained Union City and Newark together as cities in the same supervisorial district as Hayward. Ms. Halliday commented that Map A represented the least amount of change for the Hayward.

It was moved by Council Member Salinas, seconded by Council Members Zermeño and Peixoto, and carried unanimously, to accept the staff recommendation and authorize the Mayor to communicate to the Board of Supervisors and other entities the City's preference for Map A.

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Halliday commended Assistant City Manager Morariu for an article published in the latest edition of the California Redevelopment Agencies "Redevelopment." Assistant City Manager Morariu credited Redevelopment Project Manager Ortega for drafting the article.

Council Member Salinas acknowledged Flag Day. Mr. Salinas mentioned the "Let's Do Lunch and Breakfast Too, Hayward" program was going to provide free meals to children under 18 years of age on Wednesday, June 15, 2011, throughout the City. He also encouraged everyone all to visit the City's website for information about upcoming free events.

Council Member Henson mentioned that Senate Bill 710 was a bill regarding parking regulations that set standards for local government. There was Council consensus to direct staff to research and provide more information at a future meeting.

ADJOURNMENT

Mayor Sweeney adjourned the meeting at 10:54 p.m.

APPROVED:

_____
Michael Sweeney, Mayor, City of Hayward
Chair, Redevelopment Agency/Housing Authority

ATTEST:

_____
Miriam Lens, City Clerk, City of Hayward
Secretary, Redevelopment Agency/Housing Authority

CITY OF
HAYWARD
HEART OF THE BAY

DATE: June 28, 2011

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13 – Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2012, and Set July 26, 2011, as the Public Hearing Date for Such Actions

RECOMMENDATION

That the City Council adopts the attached resolution preliminarily approving the engineer's report, declaring intention to levy assessments for Fiscal Year 2012 for Zones 1-13, and setting July 26, 2011, as the public hearing date concerning Consolidated Landscaping and Lighting District No. 96-1, Zones 1-13.

SUMMARY

The annual Engineer's Report (Report) for Consolidated Landscaping and Lighting District No. 96-1 (District), is attached and includes the following information: (1) a description by benefit zone of the improvements to be operated, maintained, and serviced by the District; (2) an estimated budget by benefit zone for the District; and (3) a list of the proposed assessments to be levied upon each assessable lot, unit or parcel within the District for Fiscal Year 2012. The proposed collection amounts in Zones 1, 6, 7, 8, 9, 10, 11 and 13 are below the base maximum assessment rates; the proposed collection amounts in Zones 2, 3, 4, 5 and 12 will be at the base maximum assessment rates.

BACKGROUND

The Landscaping and Lighting Act of 1972 requires that an annual review and updated Engineer's Report be prepared to set assessment rates each fiscal year. The assessment rates may or may not change from fiscal year to fiscal year, dependent upon maintenance to be performed, but cannot exceed the base maximum assessment rates established when the districts were originally formed, plus a CPI adjustment, where applicable.

Table 1 on the next page provides general information regarding the year in which each benefit zone was formed and the number of parcels within each benefit zone.

TABLE 1: DESCRIPTION OF EXISTING BENEFIT ZONES				
Zone Number	Name/Location	Year Formed	Type of Development	Number of Assessed Parcels
1	Huntwood Ave. & Panjon St.	1990	Residential	30
2	Harder Rd. & Mocine Ave.	1991	Residential	85
3	Hayward Blvd. & Fairview Ave.	1992	Residential	155
4	Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk.	1995	Residential	175
5	Soto Rd. & Plum Tree St.	1995	Residential	38
6	Peppertree Park (assessable linear street frontage)	1982	Industrial	11
7	Mission Blvd., Industrial Pkwy, & Arrowhead Wy.	1998	Residential	348
8	Capitola St.	1999	Residential	24
9	Orchard Ave.	2000	Residential	74
10	Eden Shores	2003	Residential	534
11	Stonebrae Country Club Development	2006	Residential	556
12	Eden Shores East	2007	Residential	261
13	Cannery Place (current & future development)	2008	Residential	629
Total				2,920

Table 2 below lists the collection rates in Fiscal Year 2011, the proposed collection rates to be levied for Fiscal Year 2012, and the base maximum assessment rates for each benefit zone.

TABLE 2: ASSESSMENT RATES PER BENEFIT ZONE					
Zone Number	Name/Location	FY 2011 Collection Amount	FISCAL YEAR 2012 Collection Amount	Base Maximum Assessment Amount	CPI Index Adjustment
1	Huntwood Ave. & Panjon St.	$230.00	$230.00	$265.64	No
2 (2)	***Harder Rd. & Mocine Ave.***	**$93.08**	**$93.08**	**$93.08**	**No**
3 (2)	***Hayward Blvd. & Fairview Ave.***	**$745.00**	**$767.08**	**$767.08**	**Yes**
4 (2)	***Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk.***	**$121.00**	**$121.00**	**$121.00**	**No**
5 (2)	***Soto Rd. & Plum Tree St.***	**$139.12**	**$139.12**	**$139.12**	**No**
6 (1)	Peppertree Park	$2.00	$2.00	$2.61	No
7	Mission Blvd., Industrial Pkwy, & Arrowhead Way	$480.00	$480.00	$802.32	Yes
8	Capitola St.	$350.00	$350.00	$573.82	Yes
9	Orchard Ave.	$25.00	$25.00	$153.22	Yes
10	Eden Shores	$300.00	$300.00	$913.62	Yes
11	Stonebrae Country Club (Current Development)	$335.00	$344.92	$1,295.82	Yes
11	Stonebrae Country Club (Future Development)	$175.00	$180.18	$1,295.82	Yes
12 (2)	***Eden Shores East - Sports Park***	**$166.76**	**$171.70**	**$171.70**	**Yes**
13	Cannery Place (Current Development)	$150.00	$150.00	$974.42	Yes
13	Cannery Place (Future Development)	$0.00	$0.00	$974.42	Yes

Notes:
(1) Zone 6 is in the industrial district and is assessed based upon street frontage.
(2) ***Bolded italic items reflect recommended maximum assessment rates for FISCAL YEAR 2012.***

All benefit zones except Zone 12 have their own Capital Reserve funds (described as Working Capital Reserves in the Preliminary Engineer's Report) that can be used in the event capital facilities or improvements need major repair or replacement due to failure, damage or vandalism. For Zone 12, the City of Hayward has an agreement with the Hayward Area Recreation and Park District (HARD) for HARD to maintain the Eden Shores Park within this zone. The collected assessment pays for the City's administrative costs and for a portion of the HARD maintenance services cost. The Zone 12 Capital Reserve fund is administered by HARD.

DISCUSSION

In 1996, six separate Landscaping and Lighting Districts throughout the City, Benefit Zones 1-6, were consolidated into one district, Consolidated Landscaping and Lighting District No. 96-1. In subsequent years, Benefit Zones 7-13 were created and annexed into the District.

Zone 3 – Prominence Residential:

For Fiscal Year 2012, the Prominence Landscape Committee plans to expand the Calsense Sprinkler Upgrade Project to other landscaping areas in Zone 3. This is a water efficiency and conservation project that ultimately will reduce water waste and reduce the costs for annual maintenance. The estimated cost for the Calsense Sprinkler Upgrade Project in Fiscal Year 2012 is approximately $26,000. In addition, the Landscape Committee agreed to have a minimum of $10,000 per year put into the Capital Reserve fund for future capital facility upgrades or replacements. Reflective of the Committee's desire, the collection rate will be increased from $745.00 to $767.08 per parcel for Fiscal Year 2012, which will be at the base maximum assessment rate. The estimated remaining balance of $11,200 will be deposited into the Capital Reserve fund, which is anticipated to be approximately $140,300 at the end of Fiscal Year 2012, as shown in Appendix A-3 of the Preliminary Engineer's Report.

Zone 10 – Eden Shores Residential:

The assessment amount for Fiscal Year 2012 will remain the same as Fiscal Year 2011, which is $300 per parcel. The Eden Shores Homeowners Association (HOA) has a maintenance contract with the City, which allows the HOA to perform maintenance work related to Zone 10, and be reimbursed for such work by the City using Zone 10 funds. The HOA has requested that its maintenance contract be renewed. Therefore, staff recommends that the current contract with Eden Shores HOA be continued for another year with the same estimated budget for Fiscal Year 2012. If necessary, approximately $5,000 from the Zone 10 Capital Reserve fund will be used for tree replacements within the common areas.

The Capital Reserve fund was established to pay for major repair or replacement of capital facilities in the event of failure, damage or vandalism. Without the use of such Capital Reserve funds for the tree replacement, the collection rate needed to cover the Fiscal Year 2012 operating expenses would be approximately $309.30 per parcel. The Zone 10 Capital Reserve fund balance is anticipated to be approximately $763,700 at the end of Fiscal Year 2012, as shown in Appendix A-10 of the Preliminary Engineer's Report.

Zone 11 – Stonebrae Development:

Similar to the Eden Shores residential development, the Stonebrae development HOA also has a maintenance contract with the City, where maintenance work associated with this benefit zone is performed by the HOA. The Stonebrae HOA indicates work performed by its contractor meets the intended scope of work; therefore, the HOA recommends that the current contractors be retained to perform the maintenance work. Additionally, Stonebrae HOA also requests to add budget items for the following work for next fiscal year: replacement of mulch and tree treatments in the LLD areas. The assessment rates would increase slightly to $344.92 per parcel for the 244 parcels that will have building permit applications in the upcoming fiscal year, and $180.80 per parcel for the future development phase parcels, which consists of the remaining 312 parcels shown on the tentative tract map for the project.

Proposed Changes in Other Zones:

The attached Engineer's Report includes separate budgets for each benefit zone. Only the costs for the Engineer's Report, printing, and noticing are shared between the benefit zones. The Fiscal Year 2012 assessments in the attached Preliminary Engineer's Report that will be assessed on the Fiscal Year 2012 tax roll are calculated by considering all anticipated expenditures for maintenance, utilities, and administration. Collection amounts can be less than the base maximum assessment amount for each benefit zone if there are adequate surplus funds available from the prior year, which are carried forward. Therefore, the proposed collection amounts in Zones 1, 6, 7, 8, 9, 10, 11, and 13 are below the base maximum assessment amounts. The proposed collection amounts in Zones 2, 3, 4, 5, and 12 will be at the base maximum assessment amounts.

Each Zone has different funding levels and reserves and the City adjusts its maintenance efforts accordingly. For Zones 4 and 5, the City has reduced the levels of maintenance to coincide with projected revenue. The assessments for Zones 3 and 12 can be adjusted annually using the Consumer Price Index and therefore have revenues sufficient to cover current maintenance expenses. Zone 2 has minimal maintenance expenses and an adequate reserve to meet these expenses currently.

Proposition 218 Compliance - The increase in the maximum base assessment rate that can be levied in Fiscal Year 2012 is in compliance with the provisions of Proposition 218 because the maximum assessment does not exceed the previous approved assessment formula. The proposed increase in Zone 3 assessment is at the base maximum assessment, and the proposed increase in Zone 11 and 12 assessment is below the base maximum assessment of each zone, respectively. Any future increases in the collection rate up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

FISCAL IMPACT

There is no fiscal impact to the City's General Fund for this recommendation because the present expenditures are to be paid for by the Consolidated Landscaping and Lighting District No. 96-1 fund accounts, with some augmentation from operating and reserve balance for some zones.

Although there could be a fiscal impact on the reserve funds in Zones 2, 9, 10, and 11, staff asserts that the reserve balance in each zone is acceptable for the upcoming fiscal year.

PUBLIC CONTACT

Before the City Council public hearing on July 26, 2011, notices will be published once in the Daily Review newspaper and sent to all affected property owners about the hearing. A public meeting has been scheduled for July 12, 2011 for the property owners within the District. At the meeting, staff will be available to explain District responsibilities and funding and property owners will be given the opportunity to ask questions regarding assessments and services. The property owners may also raise concerns about assessments during the July 26 Council hearing.

NEXT STEPS

Once the City Council adopts the attached resolution of intention, the following meeting schedules will be implemented:

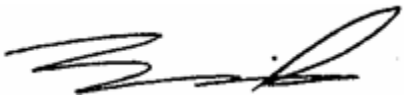
1. On July 12, 2011, a public meeting will be held with the property owners within the Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13.

2. On July 26, 2011, Council will hold a public hearing to consider approving the Engineer's Report and ordering the levy of assessments for Fiscal Year 2012 for Landscaping and Lighting District No. 96-1, Zones 1 through 13.

Prepared by: John Nguyen, P.E., Development Review Engineer

Recommended by: David Rizk, Development Services Director

Approved by:



Fran David, City Manager

Attachments:

Attachment I Draft Resolution Preliminarily Approving Engineer's Report
Attachment II Preliminary Engineer's Report

HAYWARD CITY COUNCIL

RESOLUTION NO. 11-____

Introduced by Council Member _____

RESOLUTION PRELIMINARILY APPROVING ENGINEER'S REPORT, DECLARING INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 2012 FOR ZONES 1-13, AND SETTING JULY 26, 2011, AS THE PUBLIC HEARING DATE CONCERNING CONSOLIDATED LANDSCAPING AND LIGHTING DISTRICT NO. 96-1, ZONES 1-13

BE IT RESOLVED by the City Council of the City of Hayward, as follows:

1. On May 7, 1996, the Consolidated Landscaping and Lighting District No. 96-1, Zones 1-6 (the "District") was established by the adoption of Resolution No. 96-93 and, subsequently, Zones 7-13 were respectively annexed to the District.

2. The Engineer of Work has prepared a report in accordance with the provisions of Article XIIID, Section 4, of the California Constitution, provisions of the Landscaping and Lighting Act of 1972, and Section 22500 *et seq.* of the California Streets and Highways Code. Said report has been made, filed, and duly considered by this City Council and is hereby deemed sufficient and preliminarily approved. Said report shall stand as the report for all subsequent proceedings relating to the proposed levy of District assessments for fiscal year 2012.

3. It is the intention of the City Council to order the levy and collection of assessments within the District for fiscal year 2012.

4. Reference is hereby made to the aforementioned report on file with the City Clerk for a full and detailed description of the improvements, the boundaries of the proposed maintenance district, and the proposed assessments upon assessable lots within said district.

5. A public hearing shall be held on the levy of the proposed assessments before this Council on July 26, 2011, at the hour of 7:00 p.m., in the regular meeting place of this City Council, City Council Chambers, 777 B Street, Hayward, California. Prior to the conclusion of said public hearing, any interested person may file a written protest with the City Clerk, or having previously filed a

protest, may file a written withdrawal of that protest. A written protest by a property owner shall contain a description sufficient to identify the property owned by such owner.

6. The City Clerk is hereby directed to cause a notice of said meeting and hearing to be made in the form and manner provided by applicable laws.

IN COUNCIL, HAYWARD, CALIFORNIA June , 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 of the City of Hayward

PRELIMINARY ENGINEER'S REPORT

CITY OF HAYWARD

CONSOLIDATED LANDSCAPING & LIGHTING ASSESSMENT DISTRICT No. 96-1

Fiscal Year 2012

June 28, 2011

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CITY COUNCIL MEMBERS AND CITY STAFF

Michael Sweeney
Mayor

Barbara Halliday
Council Member

Olden Henson
Council Member

Marvin Peixoto
Council Member

Bill Quirk
Council Member

Mark Salinas
Council Member

Francisco Zermeno
Council Member

Fran David
City Manager

Michael Lawson
City Attorney

Miriam Lens
City Clerk

Robert Bauman, Ph.D., P.E.
Director of Public Works

John Nguyen, M.S.C.E., P.E.
Engineer of Work

ENGINEER'S REPORT

CITY OF HAYWARD
LANDSCAPING & LIGHTING ASSESSMENT DISTRICT No. 96-1

FISCAL YEAR 2012

The undersigned, acting on behalf of the City of Hayward, respectfully submits the enclosed Engineer's Report as directed by the City of Hayward City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, provisions of the Landscaping and Lighting Act of 1972, and Section 22500 et seq. of the California Streets and Highways Code. The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: _____ By:_____
John Nguyen, M.S.C.E., P.E.
RCE No. 55104

I HEREBY CERTIFY that the Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was filed with me on the ____ day of _____, 2011.

Miriam Lens
City Clerk, City of Hayward

By:_____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Hayward, Alameda County, California, on the ____ day of _____, 2011.

Miriam Lens
City Clerk, City of Hayward

By:_____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was filed with the County Auditor of the County of Alameda, on the _____ day of _____, 2011.

By:_____
John Nguyen, M.S.C.E., P.E.
RCE No. 55104

SECTION I

INTRODUCTION

CITY OF HAYWARD
LANDSCAPING & LIGHTING ASSESSMENT DISTRICT No. 96-1

FISCAL YEAR 2012

Background Information

In 1996 there were six (6) separate Landscaping & Lighting Assessment Districts throughout the City of Hayward. On May 7, 1996, Landscaping & Lighting Assessment District No. 96-1 was formed which consolidated each of the assessment districts and designated them as six (6) separate zones of benefit. From FY 1998 through FY 2008, Benefit Zone Nos. 7 through 13 were annexed to Landscaping & Lighting Assessment District No. 96-1. Each zone of benefit has a separate budget pertaining to its respective improvements being maintained, but the administrative costs for the preparation of the Engineer's Report, Council Reports, Resolutions, etc. are shared proportionately among the zones.

To ensure the proper flow of funds for the ongoing operation, maintenance and servicing of improvements that were constructed as a condition of development within various subdivisions, the City Council, through the Landscaping and Lighting Act of 1972 (1972 Act), formed the City of Hayward Landscaping and Lighting Assessment District No. 96-1. The 1972 Act also permits the creation of benefit zones within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement" (Sec. 22547). Therefore, because there are varying degrees of benefit within the various subdivisions, the City Council established thirteen (13) benefit zones.

TABLE 1: DESCRIPTION OF EXISTING BENEFIT ZONES

Zone Number	Name/Location	Year Formed	Type of Development	Number of Assessed Parcels
1	Huntwood Ave. & Panjon St.	1990	Residential	30
2	Harder Rd. & Mocine Ave.	1991	Residential	85
3	Hayward Blvd. & Fairview Ave.	1992	Residential	155
4	Pacheco Way, Stratford Rd, Russ Ln, Ward Creek	1995	Residential	175
5	Soto Rd. & Plum Tree St.	1995	Residential	38
6	Peppertree Park	1982	Industrial	11
7	Mission Blvd., Industrial Pkwy, & Arrowhead Way	1998	Residential	348
8	Capitola St.	1999	Residential	24
9	Orchard Ave.	2000	Residential	74
10	Eden Shores	2003	Residential	534
11	Stonebrae Country Club Development (current & future development.)	2006	Residential	556
12	Eden Shores East	2007	Residential	261
13	Cannery Place (current & future development)	2008	Residential	629
Total				**2,920**

Benefit Zone No. 1 collection rate will be $230.00 per parcel, which is the same rate as in FY 2011. In FY 2012 the City plans to landscape the area in front of the sound wall with trees and shrubs at an estimated cost of $1,700. The collection rate for this zone is below their base maximum assessment rate of $265.64 per parcel and is sufficient for maintaining services levels and keeping a healthy operating and capital reserve balance.

Benefit Zone No. 2 collection rate will be $93.08 per parcel, which is the same rate as in FY 2011. In FY 2012 the City plans to landscape the area in front of the sound wall with trees and shrubs at an estimated cost of $500. The collection rate needed to cover the FY 2012 operating expenses is approximately $93.46 per parcel. Therefore, as needed approximately $32.70 would be used from the capital reserve fund to supplement the assessment revenue for FY 2012. The collection rate for this zone is at their base maximum assessment rate of $93.08 per parcel and is sufficient for maintaining services levels and keeping a healthy operating and capital reserve balance.

In 1992, Benefit Zone No. 3 was established and the base maximum rate was set at $328.82 per parcel. In FY 2004, a group of property owners formed a Landscape Committee for the purpose of addressing the substandard landscaping conditions that had arisen in Benefit Zone No. 3. The Landscape Committee developed a comprehensive landscape plan and presented the plan to City staff and property owners within Benefit Zone No. 3. After receiving City and property owner support, the Landscape Committee proposed to increase assessments to fund the construction of additional landscape improvements and to increase the level of maintenance for the existing and proposed landscaping within Benefit Zone No. 3. In FY 2006 the City conducted a mailed ballot election to determine if there was sufficient support to increase assessments. The assessment increase was approved by a majority of the property owners who voted. Therefore, in FY 2006 the annual assessment rate per parcel was increased from $328.82 to $1,023.56 per parcel. This increase in the base maximum rate consisted of two components; $694.52/yr. for maintenance and $329.04/yr. for the construction of capital improvements. The base maximum amount for constructing the capital improvements was only charged for three (3) years. In FY 2009 the base maximum increase associated with the construction of capital improvements was eliminated. Each fiscal year, commencing in FY 2009, the base maximum rate for the maintenance component, $694.52 may be increased annually based upon the prior year's change in the Consumer Price Index for the San Francisco-Oakland-San Jose Area. The collection rate will be increased from $745.00 to $767.08 per parcel for FY 2012 which will be at the base maximum assessment rate. In FY 2012 the Landscape Committee and City plan to continue the Calsense Sprinkler Upgrade Project, which is a water conservation project at an estimated cost of $26,000. This project will cut back on water usage and reduce the costs for annual maintenance. In addition, the Landscape Committee asked that the remaining $11,201.14 be deposited into the capital reserve fund. The collection rate for this zone is at their base maximum assessment rate of $767.08 per parcel and is sufficient for maintaining services levels and keeping a healthy operating and capital reserve balance.

In 1995, Benefit Zone No. 4 was established and the base maximum assessment rate was set at $121.00 per parcel. This base maximum assessment rate does not allow for an annual increase based upon the prior year's change in the Consumer Price Index. In FY 2003, the base maximum assessment rate for Benefit Zone No. 4 was proposed to be modified to allow for an annual adjustment based upon the change in the Consumer Price Index each fiscal year. The proposed increase in the base maximum assessment rate was opposed by a majority of the property owners who voted. Subsequently, the City reduced the level of service within Benefit Zone No. 4 to coincide with the projected revenue to be received.

In 1995, Benefit Zone No. 5 was established and the base maximum assessment rate was set at $139.12 per parcel. This base maximum rate does not allow for an annual increase based upon the prior year's change in the Consumer Price Index. In FY 2003, the base maximum assessment rate for Benefit Zone No. 5 was proposed to be increased $60.00 per single-family parcel and to allow for future increases based upon the change in the Consumer Price Index. The proposed increase in the base maximum rate

was opposed by the majority of the property owners who voted. Subsequently, the City has reduced the level of service within Benefit Zone No. 5 to coincide with the projected revenue to be received.

Benefit Zone No. 6 collection rate will be $2.00 per linear foot, which is the same rate as in FY 2011. In FY 2012 the City plans to install landscaping in the fountain areas at an estimated cost of $2,000. The collection rate for this zone is below their base maximum assessment rate of $2.61 per linear foot and is sufficient for maintaining services levels and keeping a sufficient operating and capital reserve balance.

Benefit Zone No. 7 collection rate will be $480.00 per parcel, which is the same rate as in FY 2011. The collection rate for this zone is below their base maximum assessment rate of $802.32 per parcel and is sufficient for maintaining services levels and keeping a healthy operating and capital reserve balance.

Benefit Zone No. 8 collection rate will be $350.00 per parcel, which is the same rate as in FY 2011. The collection rate for this zone is below the maximum base assessment of $573.82 per parcel and is sufficient for maintaining services levels and keeping a healthy operating and capital reserve balance.

Benefit Zone No. 9 collection rate will be $25.00 per parcel, which is the same rate as in FY 2011. In FY 2012 the City plans to landscape the area in front of the sound wall with trees and shrubs at an estimated cost of $600. The collection rate needed to cover the FY 2012 operating expenses is approximately $32.93 per parcel. Therefore, approximately $586.45 would be used from the capital reserve fund to supplement the assessment revenue for FY 2012. The collection rate for this zone is below the maximum base assessment of $153.22 per parcel. In future years, if there is a need for additional funds, the collection rate may be increased up to their base maximum amount.

Benefit Zone No. 10 collection rate will be $300.00 per parcel, which is the same rate as in FY 2011. In FY 2012 the City plans to replace trees along the LLAD's common area at an estimated cost of $5,000. Approximately $5,000 from the capital reserve fund would be used for the proposed tree replacement. Without the use of the capital reserve fund to supplement the assessment revenue for FY 2012, the collection rate needed to cover the FY 2012 operating expenses is approximately $309.30 per parcel. The collection rate for this zone is below the maximum base assessment of $913.62 per parcel. If in future years, there is a need for additional funds, the collection rate may be increased up to their base maximum amount.

Benefit Zone No. 11 collection rate for the 244 parcels in the current development phase (the same number of parcels assessed in FY 2011) will be increased from $335.00 to $344.92 per parcel in FY 2012. The collection rate for the remaining 312 parcels (the same number of parcels assessed in FY 2011) which will be developed in subsequent phases will be increased from $175.00 to $180.18 per parcel in FY 2012. In FY 2012 the City has been asked to budget $10,000 for landscape upgrades and replacement. If the landscape upgrades/replacements are completed in FY 2012 then approximately $10,000 will be used from the capital reserve fund to supplement the assessment revenue for FY 2012. Without the use of capital reserve fund, the collection rate needed to cover the FY 2012 operating expenses is approximately $369.03 for current development phase and $192.78 per parcel for the remaining parcels, respectively. The proposed FY 2012 assessment is below the maximum base assessment of $1,295.82.

Benefit Zone No. 12 collection rate is being increased from $166.76 to $171.70 per parcel, which is at the base maximum assessment rate per parcel. The City of Hayward has an agreement with the Hayward Area Recreation and Park District (HARD) to maintain the Mount Eden Shores Park within this zone. The assessment pays for the City's administrative costs and for a portion of the HARD maintenance services cost.

Benefit Zone No. 13 collection rate for the 297 residential units that have approved building permit applications in the current development phase will be $150.00 per unit, which is the same rate as in FY 2011. The collection rate for the remaining 331 residential units and one commercial retail parcel that will

be developed in subsequent phases will be $0.00 per parcel, which is the same rate as in FY 2011. The collection rate for this zone is below their base maximum assessment rate of $974.42 per parcel and is sufficient for administrative services and developing a healthy operating and capital reserve balance.

Proposition 218 Compliance

On November 5, 1996, California voters approved Proposition 218 entitled "Right to Vote on Taxes Act," which added Articles XIIIC and XIIID to the California Constitution. While its title refers only to taxes, Proposition 218 establishes new procedural requirements for the formation and administration of assessment districts.

These new procedures stipulate that even if assessments are initially exempt from Proposition 218, future increases in assessments must comply with the provisions of Proposition 218. However, if the increase in assessment was anticipated in the assessment formula (e.g., to reflect the Consumer Price Index or an assessment cap) then the City would be in compliance with the provisions of Proposition 218 if assessments did not exceed the assessment formula.

Benefit Zones 3 and 7 thru 13 have an allowance within their respective assessment formulas to increase their base maximum assessment based upon the change in the Consumer Price Index. The Consumer Price Index which is used for this calculation is the Consumer Price Index for Urban Wage Earners and Clerical Workers within the San Francisco-Oakland-San Jose Area, as published by the Bureau of Labor and Statistics on a bi-monthly basis. For those benefit zones with CPI Index adjustments, the CPI Index that was used last fiscal year, Fiscal Year 2011 was 220.121. The most current available CPI index available at the time of preparing this report was February 2011 (226.638), which translates to a 2.96% (226.638/220.121) increase from Fiscal Year 2011. Therefore, the revised base assessments that could be levied in Fiscal Year 2012 are equal to the base maximum assessment in Fiscal Year 2011 increased by 2.96%. Future CPI increases in the base assessment rate do not require the noticing and balloting of property owners per the requirements of Proposition 218.

The annual collection rates for benefit zones 1, 6, 7, 8, 9, 10, 11 and 13 are proposed to be levied below their base maximum amount, and the annual collection rates for benefit zones 2, 3, 4, 5, and 12 are proposed to be levied at their base maximum amount.

Increases in maximum base assessments in benefit zones 3 and 7 thru 13, and annual collection rates in benefit zones 3, 11 and 12 are in compliance with the provisions of Proposition 218 because assessments do not exceed the established assessment formula.

Table 2 on the following page lists the collection rates levied in FY 2011, the proposed collection rates for FY 2012 and the base maximum assessment rates for each benefit zone.

TABLE 2: ASSESSMENT RATES PER BENEFIT ZONE

Zone Number	Name/Location	Fiscal Year 2011 Collection Amount	Fiscal Year 2012 Collection Amount	Base Assessment Amount	CPI Index Adjustment
1	Huntwood Ave. & Panjon St.	$230.00	$230.00	$265.64	No
2 (2)	**Harder Rd. & Mocine Ave.**	**$93.08**	**$93.08**	**$93.08**	**No**
3 (2)	**Hayward Blvd. & Fairview Ave.**	**$745.00**	**$767.08**	**$767.08**	**Yes**
4 (2)	**Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk.**	**$121.00**	**$121.00**	**$121.00**	**No**
5 (2)	**Soto Rd. & Plum Tree St.**	**$139.12**	**$139.12**	**$139.12**	**No**
6 (1)	Peppertree Park	$2.00	$2.00	$2.61	No
7	Mission Blvd., Industrial Pkwy, & Arrowhead Wy.	$480.00	$480.00	$802.32	Yes
8	Capitola St.	$350.00	$350.00	$573.82	Yes
9	Orchard Ave.	$25.00	$25.00	$153.22	Yes
10	Eden Shores	$300.00	$300.00	$913.62	Yes
11	Stonebrae Country Club (Current Development)	$335.00	$344.92	$1,295.82	Yes
11	Stonebrae Country Club (Future Development)	$175.00	$180.18	$1,295.82	Yes
12 (2)	**Eden Shores East - Sports Park**	**$166.76**	**$171.70**	**$171.70**	**Yes**
13	Cannery Place (Current Development)	$150.00	$150.00	$974.42	Yes
13	Cannery Place (Future Development)	$0.00	$0.00	$974.42	Yes

Notes: (1) Zone 6 is in the industrial district and is assessed based upon street frontage.
(2) Bolded items reflect recommended maximum assessment rates for Fiscal Year 2012.

Current Annual Administration

As required by the Landscaping and Lighting Act of 1972, the annual Engineer's Report includes: (1) a description of the improvements to be operated, maintained and serviced, (2) an estimated budget, and (3) a listing of the proposed collection rate for each assessable lot or parcel.

The City of Hayward is proposing to hold a public hearing on July 26, 2011, to provide an opportunity for any interested person to be heard. At the conclusion of the public hearing, the City Council may adopt a resolution setting the annual collection rates as originally proposed or as modified. Following the adoption of this resolution, the final assessor's roll will be prepared and filed with the County Auditor's office to be included on the FY 2012 tax roll.

Payment of the assessment for each parcel will be made in the same manner and at the same time as payments are made for property taxes. All funds collected through the assessment must be placed in a special fund and can only be used for the purposes stated within this report.

SECTION II

ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972 SECTION 22500 THROUGH 22679 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

CITY OF HAYWARD LANDSCAPING & LIGHTING ASSESSMENT DISTRICT No. 96-1

FISCAL YEAR 2012

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the Streets and Highways Code of the State of California), and in accordance with the Resolution of Intention, being Resolution No. 11-_____, preliminarily approving the Engineer's Report, as adopted by the City Council of the City of Hayward, on June 28, 2011, and in connection with the proceedings for:

CITY OF HAYWARD LANDSCAPING & LIGHTING ASSESSMENT DISTRICT No. 96-1

Herein after referred to as the "Assessment District", I, John Nguyen, M.S.C.E., P.E., the duly appointed ENGINEER OF WORK, submit herewith the "Report" consisting of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements in the District. Plans and specifications for the improvements are as set forth on the lists thereof, attached hereto, and are on file in the Office of the Hayward City Clerk and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements, including incidental costs and expenses in connection therewith, is as set forth on the lists thereof, attached hereto, and are on file in the Office of the Hayward City Clerk.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates by reference a diagram of the Assessment District showing the exterior boundaries of the District, the boundaries of the thirteen (13) zones within the District and the lines and dimensions of each lot or parcel of land within the District. It has been prepared by the Engineer of Work and is on file in the Office of the Hayward City Clerk.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENT

This part contains the method of apportionment of assessments, in proportion to the estimated benefits to be received.

PART E: PROPERTY OWNER LIST & ASSESSMENT ROLL

This part contains a list of the Alameda County Assessor's Parcel numbers, and the net amount to be assessed upon the benefited lands within the Assessment District for FY 2012. The Assessment Roll is filed in the Office of the Hayward City Clerk and is incorporated in this report by reference. The list is keyed to the records of the Assessor of the County of Alameda, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

The facilities, which have been constructed within the City of Hayward, and those which may be subsequently constructed, will be operated, maintained and serviced as generally described as follows:

DESCRIPTION OF IMPROVEMENTS
CITY OF HAYWARD
LANDSCAPING & LIGHTING ASSESSMENT DISTRICT No. 96-1
FISCAL YEAR 2012

The improvements consist of the operation, maintenance and servicing of landscaping, street lighting, open space facilities, parks, trails, and appurtenant facilities including but not limited to; personnel, electrical energy, utilities such as water, materials, contractual services, and other items necessary for the satisfactory operation of these services and facilities as described below:

Landscaping Facilities
Landscaping facilities consist of, but are not limited to: operation, maintenance and servicing of landscaping, irrigation, planting, shrubbery, ground cover, trees, pathways, hardscapes, decorative masonry and concrete walls, fountains, bus shelters, entry gate structures, graffiti removal, fences, and other appurtenant facilities required to provide landscaping within the public rights-of-way and easements within the boundaries of the Assessment District.

Street Lighting Facilities
Street lighting facilities consist of, but are not limited to: operation, maintenance and servicing of poles, fixtures, bulbs, conduits, equipment including guys, anchors, posts and pedestals, metering devices and other appurtenant facilities within the public rights-of-way and easements within the boundaries of the Assessment District.

Open Space Facilities
Open space facilities consist of, but are not limited to: operation, maintenance and servicing of drainage areas, creeks, ponds, etc. including the removal of trash and debris, sediment, natural and man made vegetation and other appurtenant facilities within the public rights-of-way and easements within the boundaries of the Assessment District.

Park/Trail Facilities
Park/Trail facilities consist of, but are not limited to: operation, maintenance and servicing of landscaping, irrigation systems, pedestrian access, asphalt bike pathways, parkways, and the removal of trash and debris, rodent control, used for the support of recreational programs and other appurtenant facilities within the public rights-of-way and easements within the boundaries of the Assessment Districts.

The following is a detailed description of the improvements that are being operated, maintained and serviced throughout each benefit zone within the District:

- **Zone 1 (Huntwood Avenue & Panjon Street)** – Tract 6041

Formed: November 13, 1990
Resolution Number: 90-256
30 parcels
FY 2012 Collection Rate per Parcel: $230.00

  - Surface maintenance of the street side of a 600-foot masonry wall along Huntwood Avenue. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;
  - The ownership and responsibility of the masonry wall as a structure remains with the individual property owners; and
  - Landscaping and irrigation includes an 8-foot-wide landscaped strip along Huntwood Avenue within a landscape easement.
  - In FY 2012 the City plans to landscape the area in front of the sound wall with trees and shrubs at an estimated cost of $1,700.
  - For FY 2012, the collection rate will remain at $230.00 per parcel. If in future years, there is a need for additional funds the collection rate may be increased up to their base maximum amount, which is $265.64 per parcel. This base maximum amount cannot be increased annually based upon the change in the Consumer Price Index. Future increases in collection rate up to the base maximum amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

- **Zone 2 (Harder Road & Mocine Avenue)** – Tract 6042

Formed: July 25, 1991
Resolution Number: 91-137
85 parcels
FY 2012 Collection Rate per Parcel: $93.08

  - Surface maintenance of the street side of a 1,000-foot-long masonry wall along Harder Road, Mocine Avenue and a segment of Sunburst Drive. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;
  - Surface maintenance of the 800-foot-long masonry wall adjacent to the railroad tracks located on the southwest side of Tract No. 6042. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;
  - The ownership and responsibility of the masonry walls as a structure remains with the individual property owners; and
  - Landscaping and irrigation includes the area between the sidewalk and wall along Harder Road and Mocine Avenue within a landscape easement.

- In FY 2012 the City plans to landscape the area in front of the sound wall with trees and shrubs at an estimated cost of $500.

- For FY 2012, the collection rate will remain at $93.08 per parcel. The collection rate needed to cover the FY 2012 operating expenses is approximately $93.46 per parcel. Therefore, as needed, approximately $32.70 will be used from the capital reserve fund to supplement the assessment revenue for FY 2012. This base maximum amount cannot be increased annually based upon the change in the Consumer Price Index.

Zone 3 (Hayward Boulevard & Fairview Avenue) – Tract 4007

Formed: June 23, 1992
Resolution Number: 92-174
155 parcels
FY 2012 Collection Rate per Parcel: $767.08

- Surface maintenance of the street side of a mile-long masonry wall along Hayward Boulevard and Fairview Avenue. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;

- The ownership and responsibility of the masonry wall as a structure remains with the individual property owners;

- Landscaping and irrigation includes approximately one mile of landscaped frontage along Hayward Boulevard and Fairview Avenue with significant slope areas along the street; and

- In addition, several open space areas within the tract are maintained; however, there are no funds budgeted for maintenance of the non-irrigated, non-landscaped open space areas.

- In 1992, Benefit Zone No. 3 was established and the base maximum rate was set at $328.82 per parcel. In FY 2004, a group of property owners formed a Landscape Committee for the purpose of addressing the substandard landscaping conditions that had arisen in Benefit Zone No. 3. The Landscape Committee developed a comprehensive landscape plan and presented the plan to City staff and property owners within Benefit Zone No. 3. After receiving City and property owner support, the Landscape Committee proposed to increase assessments to fund the construction of additional landscape improvements and to increase the level of maintenance for the existing and proposed landscaping within Benefit Zone No. 3. In FY 2006 the City conducted a mailed ballot election to determine if there is sufficient support to increase assessments. The assessment increases were approved by a majority of the voters who voted. Therefore, in FY 2006 the annual assessment rate per parcel was increased from $328.82 to $1,023.56. This increase in the base maximum rate consisted of two components; $694.52/yr. for maintenance and $329.04/yr. for the construction of capital improvements. The base maximum amount for constructing the capital improvements was only charged for three (3) years. In FY 2009 the base maximum increase associated with the construction of capital improvements was eliminated. Each fiscal year, commencing in FY 2009, the base maximum rate for the maintenance component, $694.52 may be increased annually based upon the prior year's change in the Consumer Price Index for the San Francisco-Oakland-San Jose Area. The proposed collection rate in FY 2012 is $767.08 per parcel, which is the base maximum assessment rate of $767.08 per parcel.

- The following capital improvements have been constructed with revenues received from the capital replacement portion of the annual assessment.

  FY 2006: Bus Stop and Open Area across the Street on Fox Hollow Drive

  In the Bus Stop Area weeds were removed and the soil was amended and prepared for new plantings. Improvements in drainage were made. The existing sprinkler system was repaired and/or upgraded as necessary. Grass was planted in flat locations. Trees were replaced as needed. Bunch grasses and shrubs were planted on the slopes.

  In the Open Area across from the Bus Stop, weeds were removed and the soil was amended and prepared for new plantings. The existing sprinkler system was repaired and/or upgraded as necessary. Deer resistant, drought tolerant, low maintenance plants were planted on the flat area and down the slope. Low maintenance plants of various colors were used.

  FY 2007: Open Area South of 28525 Fox Hollow Drive

  In the Open Area, weeds were removed and the soil was prepared for new plantings. The existing sprinkler system was repaired and/or upgraded as necessary. Deer resistant, drought tolerant, low maintenance plants were planted on the flat area and down the slope. Assorted low maintenance plants of various colors were also used.

  FY 2008: Hayward Blvd., Fairview Drive & Barn Rock Drive

  During FY 2008, the Landscape Committee decided to spread the last phase of the capital replacements over two years in order to coordinate the Prominence improvements with planned work by the Stonebrae Development. During FY 2008 along Barn Rock Drive and Hayward Blvd, weeds were removed and the soil was prepared for new plantings. The existing sprinkler system was upgraded as necessary. Deer resistant, drought tolerant, low maintenance plants were planted on the flat area and down the slope. Assorted low maintenance plants of various colors were also used.

  FY 2009: Hayward Blvd., Fairview Drive & Barn Rock Drive

  During FY 2009 along Fairview Drive, weeds and dead trees and foliage were removed. The soil was amended and prepared for new trees and plants. Trees, bushes and ground cover were planted to fill in the bare areas around the perimeter of the development on both the flat and sloped areas. Deer resistant, drought tolerant, low maintenance plants of various colors was used. The existing sprinkler system was repaired and/or upgraded as necessary. In addition, large trees were planted along Fairview Drive to visually screen Prominence homeowners from Stonebrae homes. This work was funded by the Stonebrae Development.

  FY 2011 and FY 2012: Calsense Sprinkler System Upgrade Project

  During FY 2011 and FY 2012 the existing sprinkler system is proposed to be upgraded to provide a more water efficient/conservative system, which will cut back on water waste and reduce the costs for annual maintenance.

- As part of the roadway modifications for the Stonebrae Development, the landscaped corner of Benefit Zone No. 3 at Hayward Boulevard and Fairview Boulevard was substantially reduced in size and modified. Concurrently, it was determined that the modified corner

would provide a greater benefit for the residents of the Stonebrae Development than for the residents of Benefit Zone No. 3. This corner is a visually vital part of the Stonebrae entrance while the only benefit it provides the residents of Benefit Zone No. 3 is as a general streetscape improvement not normally seen by the residents. By mutual agreement of the Stonebrae developer and the members of the Prominence Landscape Committee (Benefit Zone No. 3), the corner was removed from Benefit Zone No. 3 and was assessed to the Stonebrae LLAD Benefit Zone (Benefit Zone No. 11). The Stonebrae developer modified the corner as necessary to separate the irrigation and plantings so that the residents of Benefit Zone No. 3 can be assured that they are not bearing any of the ongoing costs for the maintenance of this area.

- **Zone 4 (Pacheco Wy, Stratford Rd, Ruus Ln., Ward Creek)** – Tracts 6472, 6560, 6682 & 6683

Formed: May 23, 1995
Resolution Number: 95-96
175 parcels
Annexed Tract 6682: January 23, 1996
FY 2012 Collection Rate per Parcel: $121.00

- Surface maintenance of the street side of a masonry wall along Pacheco Way and along the southern and eastern property boundaries. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;
- The ownership and responsibility of the masonry wall as a structure remains with the individual property owners;
- Approximately 21,000 square feet of landscaping adjacent to the Ward Creek Bike Pathway, including an irrigation system with electrical controllers;
- Approximately 2,100 square feet of median landscaping on Stratford Road and Ruus Lane;
- Approximately 7,500 square feet of landscaping along Pacheco Way;
- The landscaping, irrigation and appurtenances on the median island on Ruus Lane;
- Approximately 2,100 linear feet of asphalt bike pathway adjacent to Ward Creek between Pacheco Way and Folsom Avenue, and bike path striping on pathway;
- Drainage and access facilities within the development which include, but are not limited to the detention facility, approximately 9 drainage inlets, and 675 feet of 6-inch PVC drain pipe adjacent to the pathway;
- Approximately 50 linear feet of 4-foot-high black vinyl clad chain link fencing at two locations between Ward Creek and the asphalt pathway;
- A 14-foot-wide entry gate structure, an 8-foot-wide swing gate, and a 12-foot-wide swing gate;
- 32 linear feet of 8-foot-wide prefabricated steel bridge with wood deck; and
- Pedestrian access between Rosecliff Lane and Ward Creek Pathway.

- An adjustment to the base maximum assessment was proposed in FY 2003 because expenditures were exceeding revenues. The proposed increase in the base maximum assessment was not supported by a majority of the property owners who voted; therefore, the assessment revenue for this benefit zone could not be increased. Therefore, the City has reduced the level of landscape maintenance within this benefit zone to coincide with the projected revenue to be received. For example, reduction in landscape maintenance scheduled, dead plants are not being replaced and irrigation repairs are taking longer to be performed. The proposed collection rate in FY 2012 for Zone 4 is $121.00, which is the base maximum amount.

- **Zone 5 (Soto Road & Plum Tree Street)** – Tracts 6641 & 6754

Formed: May 23, 1995
Resolution Number: 95-97
38 parcels
Annexed Tract 6754: October 17, 1995
FY 2012 Collection Rate per Parcel: $139.12

- Surface maintenance of the street side of a masonry wall along Soto Road. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;

- The ownership and responsibility of the masonry wall as a structure remains with the individual property owners;

- Landscaping within the 10-foot-wide setback area between the masonry wall and the sidewalk (approximately 360 lineal feet);

- Landscaping and appurtenances within the 5.5-foot-wide planter strip between the sidewalk and the curb return areas across the frontage of Tract 6641;

- The curb return areas at the intersection of Soto Road and Plum Tree Street;

- Landscaping and appurtenances located within the 10-foot-wide setback area between the masonry wall and the sidewalk (approximately 440 lineal feet); and

- Landscaping and appurtenances within the 5.5-foot-wide planter strip between the sidewalk and the curb across the Soto Road frontage of Final Map Tract 6754.

- An adjustment to the base maximum assessment was proposed in FY 2003 because expenditures were exceeding revenues. The adjustment would have provided for a one-time $60.00 increase per single-family parcel and the ability to increase the base maximum assessment each subsequent fiscal year based upon the change in the Consumer Price Index. The proposed assessment increase was not supported by a majority of the property owners who voted; therefore, the assessment revenue for this benefit zone could not be increased. Therefore, the City has reduced the level of service within this benefit zone to coincide with the projected revenue to be received. For examples, reduction in landscape maintenance schedules, dead plants are not being replaced, and water usage has been reduced by 20 percent. The proposed collection rate in FY 2012 for Zone 5 is $139.12, which is the base maximum amount.

- **Zone 6 (Peppertree Park)** – Tracts 4420 & Lot 2 of Tract 3337

Formed: May 11, 1982
Resolution Number: 82-160
11 parcels
FY 2012 Collection Rate per linear-foot of Street Frontage: $2.00

  - Landscaping and decorative paving within the median islands in San Clemente Street between Zephyr Avenue and San Antonio Street; and

  - The identification sign, fountain, lighting, and landscaping in the main entrance median at San Clemente Street and San Antonio Street.

  - In FY 2012 the City plans to install landscaping in the fountain area at a cost of $2,000.

  - For FY 2012 the collection rate will remain at $2.00 per linear foot due to the fact that there are sufficient revenues in the reserve funds. If in future years, there is a need for additional funds, the collection rate may be increased up to their base maximum amount, which is $2.61 per linear foot. This base maximum amount cannot be increased annually based upon the change in the Consumer Price Index. Future increases in collection rate up to the base maximum amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

- **Zone 7 (Mission Boulevard, Industrial Parkway, Arrowhead Way)** – Tract 7015

Formed: July 28, 1998
Resolution Number: 98-153
348 parcels
FY 2012 Collection Rate per Parcel: $480.00

  - Planting, irrigation, the multi-use pathway, landscape lighting and other associated improvements located within the landscape easements and street right-of-way along Mission Boulevard and Industrial Parkway;

  - Medians and abutting landscaping along the Arrowhead Way entrance roads and traffic circles, including the bridge structure, signs, and decorative entry paving;

  - Bus shelters;

  - Walls and fences that face Mission Boulevard, Industrial Parkway, the Arrowhead Way entrance roads, the golf course and along the Line N drainage channel (including graffiti removal);

  - Specialty street lighting; and

  - A neighborhood park.

  - For FY 2012, the collection rate will remain at $480.00 per parcel to ensure healthy reserves are maintained. If in future years, there is a need for additional funds, the collection rate may be increased up to their base maximum amount, which is $802.32 per parcel. This base

maximum amount will be increased annually based upon the prior years change in the Consumer Price Index. Future increases in the collection rate up to the base maximum amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

- **Zone 8 (Capitola Street)** – Tract 7033

Formed: March 2, 1999
Resolution Number: 99-030
24 parcels
FY 2012 Collection Rate per Parcel: $350.00

- Surface maintenance of the 8-foot-high decorative concrete wall along the tract's Hesperian Boulevard frontage. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;

- The ownership and responsibility of the wall as a structure remains with the individual property owners; and

- A 10-foot-wide landscaped area, between the wall and the Hesperian Boulevard frontage, to be improved with landscaping, irrigation, and other associated improvements located within the landscaped area.

- For FY 2012, the collection rate will remain at $350.00 per parcel to ensure healthy reserves are maintained. If in future years there is a need for additional funds, the collection rate may be increased up to their base maximum amount, which is $573.82 per parcel. This base maximum amount will be increased annually based upon the prior years change in the Consumer Price Index. Future increases in the collection rate up to the base maximum amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

- **Zone 9 (Orchard Avenue)** – Tract 7063

Formed: April 25, 2000
Resolution Number: 00-050
74 parcels
FY 2012 Collection Rate per Parcel: $25.00

- Surface maintenance of the 10-foot-high decorative concrete wall along the railroad and along the south property line abutting Lot 40. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair. To minimize this maintenance work, Boston Ivy is planted and maintained along most of the surface of the wall;

- The ownership and responsibility of the wall as a structure remains with the individual property owners.

- In FY 2012 the City plans to landscape the area in front of the sound wall with trees and shrubs at a cost of $600.

- For FY 2012 the collection rate will remain at $25.00 per parcel. The collection rate needed to cover the FY 2012 operating expenses is approximately $32.93 per parcel. Therefore, as needed, approximately $586.45 will be used from the capital reserve fund to supplement the assessment revenue for FY 2012. If in future years there is a need for additional funds, the collection rate may be increased up to their base maximum amount, which is $153.22 per parcel. This base maximum amount will be increased annually based upon the prior years change in the Consumer Price Index. Future increases in the collection rate up to the base maximum amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

- **Zone 10 (Eden Shores)** – Tracts No. 7317, 7360 and 7361

Formed: June 24, 2003
Resolution Number: 03-083
534 parcels
FY 2012 Collection Rate per Parcel: $300.00

- A five (5) acre park which includes landscaping and irrigation and play ground equipment within the development;

- Medians, park strips and parkway landscaping and irrigation within the development;

- Surface maintenance of the decorative concrete and sound walls along the perimeter and within the tract. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair; and

- The ownership and responsibility for the walls as structures remains with the individual property owners.

- In FY 2012 the City plans to replace trees along the LLAD's common area at a cost of $5,000.

- For FY 2012 the collection rate will remain at $300.00 per parcel. The collection rate needed to cover the FY 2012 operating expenses is approximately $309.30 per parcel. Therefore, approximately $4,968.40 will be used from the capital reserve fund to supplement the assessment revenue for FY 2012. If in future years there is a need for additional funds, the collection rate may be increased up to their base maximum amount, which is $913.62 per parcel. This base maximum amount will be increased annually based upon the prior years change in the Consumer Price Index. Future increases in the collection rate up to the base maximum amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

- The original Engineer's estimate for construction costs for Zone 10 was $1,510,000 (in 2003 dollars). This construction cost is used for establishing the base capital reserve level.

- As a condition of approval for the subdivision, the developer was required to provide prospective homebuyers with a written disclosure of the special assessment district, including an estimate of the annual assessment. This disclosure is to be on brightly colored paper.

- **Zone 11 (Stonebrae Country Club)** – Tracts No. 5354

Formed: July 18, 2006
Resolution Number: 06-096
556 parcels
FY 2012 Collection Rate per Parcel in current development phase: $344.92
FY 2012 Collection Rate per Parcel in future development phase: $180.18

- Median, park strips, parkway landscaping and irrigation improvements and multi-use pathway improvements along Fairview Avenue, Garin Park Lane, Hayward Boulevard, Stonebrae County Club Drive, between the entry point to the development and the City water tank;

- Slope maintenance along Garin Park Lane, Fairview Avenue and Hayward Boulevard;

- Decorative walls facing Fairview Avenue and Hayward Boulevard but not including the view fence of the lots along Fairview Ave. This maintenance includes painting, cleaning, graffiti removal, and replacement of the improvements if needed;

- Street and landscape lighting along Fairview Avenue, Garin Park Lane, Hayward Boulevard; and along the frontage of the school at the intersection of Hayward Blvd/Stonebrae Country Club Drive and Carden Lane. This maintenance includes electrical costs, and replacement of the improvements if needed;

- As a condition of approval for the subdivision, the developer was required to provide prospective homebuyers with a written disclosure of the special assessment district, including an estimate of the annual assessment. This disclosure is to be on brightly colored paper; and

- As part of the roadway modifications for the Stonebrae Development, the landscaped corner at Hayward Boulevard and Fairview Boulevard, previously located in benefit Zone No. 3, was substantially reduced in size and modified. The modified corner provides a benefit for the residents of the Stonebrae Development and is visually a vital part of the entrance to the development. By agreement of the Stonebrae developer and the City and following consultation with the Prominence Landscape Committee (Benefit Zone No. 3), the corner was removed from Benefit Zone No. 3 and annexed into the Stonebrae Benefit Zone (Benefit Zone No. 11). The Stonebrae developer modified the corner as necessary to separate the irrigation and plantings so that the residents of Benefit Zone No. 3 can be assured that they are not bearing any of the future ongoing costs for the maintenance of this area.

- In FY 2012 the City was asked to budget $10,000 for landscape upgrades and replacement.

- The project is proposed to be developed in multiple phases. The current development phase consists of the 244 single-family parcels (244 parcels assessed in FY 2011) located at or near the entrance to the development. The future development phases will consist of the remaining 312 single-family parcels. For FY 2012 the collection rate will be increased from $335.00 to $344.92 per parcel in the current phase and increased from $175.00 to $181.18 per parcel in the future phases. The collection rate needed to cover the FY 2012 operating expenses is approximately $369.03 and $192.78 per parcel respectively. Therefore, approximately $9,814.03 will be used from the capital reserve fund to supplement the assessment revenue for FY 2012. If in future years, there is a need for additional funds, the collection rate may be increased up to their base maximum amount, which is $1,295.82 per

parcel. This base maximum amount will be increased annually based upon the prior years change in the Consumer Price Index. Future increases in the collection rate up to the base maximum amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

- The original Engineer's estimate for construction costs for Zone 11 was $1,620,000 (in 2006 dollars). This construction cost is used for establishing the base capital reserve level.

- **Zone 12 (Eden Shore East)** – Tract 7489 & 7708

Formed: May 15, 2007
Resolution Number: 07-031
261 units
FY 2012 Collection Rate per Parcel: $171.70

- Maintenance of the neighborhood serving features of the Mount Eden Shores Park aka Alden E. Oliver Sports Park such as picnic tables, basketball courts, barbeque areas, soccer fields, etc.

- For FY 2012 the collection rate will be increased from $166.76 to $171.70 per parcel which is at the base maximum assessment rate per parcel. This increase is necessary to maintain sufficient service levels. This base maximum amount will be increased annually based upon the prior years change in the Consumer Price Index. Future increases in the collection rate up to the base maximum amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

- **Zone 13 (Cannery Place)** – Tract 7613, 7625, 7748 & 7749

Formed: June 17, 2008
Resolution Number: 08-090
612 Condominium Style Units, 16 Duets and one Commercial Retail Parcel
FY 2012 Collection Rate per unit in current development phase: $150.00
FY 2012 Collection Rate per unit in future development phase: $0.00

- Approximately five (5) acres of park area which includes landscaping and irrigation and play ground equipment and maintenance of a historic water tower within the development;

- Park strips and parkway landscaping and irrigation within the development;

- Maintenance of street trees;

- Maintenance of streetlights;

- Maintenance of paved walkways;

- Surface maintenance of the decorative concrete walls within the tract. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair; and

- The ownership and responsibility for the walls as structures remains with the individual property owners.

- The project is proposed to be developed in multiple phases. The current development phase consists of the 297 residential units which have approved building permit applications (228 units assessed in FY 2011). The future development phases will consist of the remaining 331 residential units and one commercial retail parcel. For FY 2012 the collection rate will remain at $150.00 per parcel in the current phase and $0.00 per parcel in the future phases. If in future years, there is a need for additional funds, the collection rate may be increased up to their base maximum amount, which is $974.42 per parcel. This base maximum amount will be increased annually based upon the prior years change in the Consumer Price Index. Future increases in the collection rate up to the base maximum amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

PART B

ESTIMATE OF COST

The 1972 Act provides that the total cost of construction, operation, maintenance and servicing of the public landscaping, street lighting, open space facilities, parks, trails, etc. can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with the construction, operation, maintenance and servicing of the District can also be included.

The estimated FY 2012 expenditures for the proposed District are itemized by zone as follows:

TABLE 3: REVENUE PER BENEFIT ZONE		
Zone Number	**Name/Location**	**Estimated Revenue for Fiscal Year 2012**
1	Huntwood Ave. & Panjon St.	$6,900.00
2	Harder Rd. & Mocine Ave.	$7,911.80
3	Hayward Blvd. & Fairview Ave.	$118,897.40
4	Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk.	$21,175.00
5	Soto Rd. & Plum Tree St.	$5,286.56
6	Peppertree Pk.	$9,988.00
7	Mission Blvd., Industrial Pkwy, & Arrowhead Wy.	$167,040.00
8	Capitola St.	$8,400.00
9	Orchard Ave.	$1,850.00
10	Eden Shores	$160,200.00
11	Stonebrae Country Club	$140,376.64
12	Eden Shores East - Sports Park	$44,813.70
13	Cannery Place	$44,550.00
	TOTAL:	***$737,389.10***

For a detailed breakdown on the operation, maintenance and servicing costs for each Benefit Zone, refer to Appendix "A."

The 1972 Act requires that a special fund be set up for the revenues and expenditures for the District. Funds raised by the assessments shall be used only for the purposes as stated herein. Any balance remaining on July 1 at the end of the fiscal year must be carried over to the next fiscal year.

PART C

ASSESSMENT DISTRICT DIAGRAM

The boundary of the City of Hayward's Landscaping & Lighting Assessment District No. 96-1 is completely within the boundaries of the City of Hayward. The Assessment Diagram which shows the thirteen (13) zones is on file in the Office of the City Clerk of the City of Hayward and shown in Appendix "B" of this report. The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Assessor of the County of Alameda, for the year when this report was prepared, and are incorporated by reference herein and made part of this report.

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the operation, maintenance and servicing of landscaping and street lighting improvements.

Section 22573 of the Landscaping and Lighting Act of 1972 requires that maintenance assessments must be levied according to benefit rather than according to assessed value. This Section states:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefit to be received by each such lot or parcel from the improvements."*
>
> *The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000)) [of the Streets and Highways Code, State of California]."*

Proposition 218 also requires that maintenance assessments must be levied according to benefit rather than according to assessed value. In addition, Article XIIID, Section 4(a) of the California Constitution limits the amount of any assessment to the proportional special benefit conferred on the property.

Because assessments are levied on the basis of benefit, they are not considered a tax, and, therefore, are not governed by Article XIIIA of the California Constitution.

The 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement" (Sec. 22547). Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax."

Article XIIID of the California Constitution provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways.

ZONE CLASSIFICATION

Each benefit zone is unique and distinguishable from other benefit zones located within the District. Each benefit zone is evaluated to determine which improvements are of a specific and direct benefit to the parcels in that benefit zone. Once the improvements have been identified, a method of spreading those costs to the benefiting parcels was developed.

As certain subdivisions develop throughout the City of Hayward, they may be annexed into an existing zone or there may be a new zone formed. Each new subdivision is evaluated to determine which improvements are of a specific and direct benefit to the parcels within the subdivision and then a determination is made whether to annex them into an existing zone or whether to form a new zone. The parcels, which benefit from the improvements, are identified and a benefit assessment spread methodology is developed to spread the costs of the improvements to the benefiting parcels.

The following is a listing of the various zones in the District, their corresponding number of parcels in each benefit zone, and the method of apportioning the costs of the improvements:

- **Zone 1 (Huntwood Avenue & Panjon Street)** Tract 6041

  This zone was established in 1990 and the maximum assessment rate was set at $265.64 per single-family residential parcel with no automatic allowance for a Consumer Price Index (CPI) increase each fiscal year. The special benefit derived by the individual lots is indistinguishable from each other. Therefore, each of the 30 parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2012, the total assessment revenue needed to operate and maintain the facilities within the zone is $6,900.00. Since the amount needed to operate and maintain facilities in this zone remains below the base maximum amount, the following amount should be collected:

  $230.00 per parcel

- **Zone 2 (Harder Road & Mocine Avenue)** Tract 6042

  This zone was established in 1991 and the maximum assessment rate was set at $93.08 per single-family residential parcel with no automatic allowance for CPI increase each fiscal year. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 85 parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2012, the total assessment revenue needed to operate and maintain the facilities within the zone is $7,911.80. Since the collection rate is limited to the base maximum amount, the following amount should be collected:

  $93.08 per parcel

- **Zone 3 (Hayward Boulevard & Fairview Avenue)** Tract 4007

  In 1992, Benefit Zone No. 3 was established and the base maximum rate was set at $328.82 per parcel. In FY 2004, a group of property owners formed a Landscape Committee for the purpose of addressing the substandard landscaping conditions that had arisen in Benefit Zone No. 3. The Landscape Committee developed a comprehensive landscape plan and presented the plan to City staff and property owners within Benefit Zone No. 3. After receiving City and property owner support, the Landscape Committee proposed to increase assessments to fund the construction of additional landscape improvements and to increase the level of maintenance for the existing and proposed landscaping within Benefit Zone No. 3. In FY 2006 the City conducted a mailed ballot election to determine if there is sufficient support to increase assessments. The assessment increases were approved by a majority of the voters who voted. Therefore, in FY 2006 the base maximum assessment rate per parcel was increased from $328.82 to $1,023.56. This increase in the base maximum rate consisted of two components; $694.52/yr. for maintenance and $329.04/yr. for the construction of capital improvements. The base maximum amount for constructing the capital improvements was only charged for three (3) years. In FY 2009 the base maximum increase associated with the construction of capital improvements was eliminated. Each fiscal year, commencing in FY 2009, the base maximum rate for the maintenance component, $694.52 may be increased annually based upon the prior year's change in the Consumer Price Index for the San Francisco-Oakland-San Jose Area. The base year for calculating CPI increases was set for July 1, 2006. On July 1, 2006 the CPI Index was set at 205.2. The most current CPI Index available at the time of this report was February 2011. The February 2011 CPI was 226.638, which translates to a 10.45% (226.638/205.2) increase since the base year. Therefore, the base maximum of $767.08 per parcel could be assessed in FY 2012. The collection rate will be $767.08 per parcel.

The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 155 parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2012, the total assessment revenue needed to operate and maintain the facilities within the zone is $118,897.40. Since the collection rate is limited to the base maximum amount, the following amount should be collected:

$767.08 per parcel

- **Zone 4 (Pacheco Way, Stratford Rd, Ruus Ln, Ward Creek)** Tracts 6472, 6560, 6683 & 6682

  This zone was established in 1995 and the maximum assessment rate was set at $121.00 per single-family residential parcel with no automatic allowance for CPI increase each fiscal year. In 2002, the City sent out a notice and ballot to each affected property owner requesting their approval to modify their maximum assessment rate to include an allowance for an automatic increase that reflects the prior year's change in the Consumer Price Index. The results of the ballot tabulation revealed that there was a majority protest received, weighted by assessment amount, and therefore, the adjustment to the assessment formula was not imposed. The City has reduced the level of service within this benefit zone to coincide with the projected revenue to be received. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 175 parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2012, the total assessment revenue needed to operate and maintain the facilities within the zone is $21,175.00. Since the collection rate is limited to the base maximum amount, the following amount should be collected:

  $121.00 per parcel

- **Zone 5 (Soto Road & Plum Tree Street)** Tracts 6641 & 6754

  This zone was established in 1995 and the maximum assessment rate was set at $139.12 per single-family residential parcel with no automatic allowance for CPI increase each fiscal year. In 2002, the City sent out a notice and ballot to each affected property owner requesting their approval to increase the maximum assessment rate from the current base amount of $139.12 to $199.12 and include an allowance for an automatic increase reflecting the prior year's change in the CPI each subsequent fiscal year. The results of the election revealed that there was a majority protest received, and therefore, the adjustment to the assessment formula was not imposed for FY 2003. The City has reduced the level of service within this benefit zone to coincide with the projected revenue to be received. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 38 parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2012, the total assessment revenue needed to operate and maintain the facilities within the zone is $5,286.56. Since the collection rate is limited to the base maximum amount, the following amount should be collected:

  $139.12 per parcel

- **Zone 6 (Peppertree Park)** Tract 4420 & Lot 2 of Tract 3337

  This zone was established in 1982 and the maximum assessment rate was set at $2.61 per linear foot with no automatic allowance for CPI increase each fiscal year. The costs are spread to each parcel in proportion to the San Clemente Street frontage length to the overall San Clemente Street frontage within the district. The street frontage is based on the actual linear length of each parcel at the street right-of-way line. The overall street frontage is 4,994 feet from the San Clemente P.C.R. at Zephyr Avenue to the intersection of the northerly boundary of Lot 17 and San Clemente Street and the northerly boundary of Lot 2, Tract 3337. In FY 2012, the total assessment revenue needed to operate and maintain the facilities within the zone is $9,988.00. Since the amount needed to operate and maintain facilities in this zone remains below the base maximum amount, the following amount should be collected:

  $2.00 per linear foot

- **Zone 7 (Mission Boulevard, Industrial Parkway, Arrowhead Way)** Tract 7015

  This zone was established in 1998 and the maximum assessment rate was set at $597.57 per parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for April 1, 1999. On April 1, 1999, the CPI Index was set at 168.8. The most current CPI Index available at the time of this report was February 2011. The February 2011 CPI was 226.638, which translates to a 34.26% (226.638/168.8) increase since the base year. Therefore, the base maximum of $802.32 per parcel could be assessed in FY 2012. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 343 single-family parcels and the 5 parcels comprising the parks and golf course shall be apportioned an equal share of the total assessment for this zone. In FY 2012, the total assessment revenue needed to operate and maintain the facilities within the zone is $167,040.00. Since the amount needed to operate and maintain facilities in this zone remains below the base maximum amount, the following amount should be collected:

  $480.00 per parcel

- **Zone 8 (Capitola Street)** Tract 7033

  This zone was established in 1999 and the maximum assessment rate was set at $442.83 per parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for April 1, 2000. On April 1, 2000 the CPI Index was set at 174.9. The most current CPI Index available at the time of this report was February 2011. The February 2011 CPI was 226.638, which translates to a 29.58% (226.638/174.9) increase since the base year. Therefore, the base maximum of $573.82 per parcel could be assessed in FY 2012. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 24 parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2012, the total assessment revenue needed to operate and maintain the facilities within the zone is $8,400.00. Since the amount needed to operate and maintain facilities in this zone remains below the base maximum amount, the following amount should be collected:

  $350.00 per parcel

- **Zone 9 (Orchard Avenue)** Tract 7063

  This zone was established in 2000 and the maximum assessment rate was set at $125.00 per parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for April 1, 2001. On April 1, 2001, the CPI Index was set at 184.9. The most current CPI Index available at the time of this report was February 2011. The February 2011 CPI was 226.638, which translates to a 22.57% (226.638/184.9) increase since the base year. Therefore, the base maximum of $153.22 per parcel could be assessed in FY 2012. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 74 parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2012, the total revenue needed to operate and maintain the facilities within the zone is $1,850.00. Since the amount needed to operate and maintain facilities in this zone remains below the base maximum amount, the following amount should be collected:

  $25.00 per parcel

- **Zone 10 (Eden Shores)** Tracts No. 7317, 7360 and 7361

  This zone was established in June 2003 and the maximum assessment rate was set at $775.00 per parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for July 1, 2003. On July 1, 2003, the CPI Index was set at 192.25. The most current CPI Index available at the time of this report was February 2011. The February 2011 CPI was 226.638, which translates to a 17.89% (226.638/192.25) increase since the base year. Therefore, the base maximum of $913.62 per parcel could be assessed in FY 2012. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 534 parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2012, the total assessment revenue needed to operate and maintain the facilities within the zone is $160,200.00. Since the amount needed to operate and maintain facilities in this zone remains below the base maximum amount, the following amount should be collected:

  $300.00 per parcel

- **Zone 11 (Stonebrae Country Club)** Tracts No. 5354

  This zone was established in July 2006 and the maximum assessment rate was set at $1,173.26/yr. for each proposed single-family parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for July 1, 2006. On July 1, 2006, the CPI Index was set at 205.2. The most current CPI Index available at the time of this report was February 2011. The February 2011 CPI was 226.638, which translates to a 10.45% (226.638/205.2) increase since the base year. Therefore, the base maximum of $1,295.82 per parcel could be assessed in FY 2012. The project is proposed to be developed in multiple phases. The current development phases will be constructed first and consist of the 244 proposed single-family parcels located at or near the entrance to the development. The future development phases will consist of the remaining 312 proposed single-family parcels. In FY 2012, the total assessment revenue needed to operate and maintain the facilities is $140,376.64. Therefore, each of the 244 parcels located within the current development will be assessed $344.92 and the remaining 312 single-family parcels will be assessed $180.18 as shown below:

  $344.92 per parcel (Current Development)
  $180.18 per parcel (Future Development)

- **Zone 12 (Eden Shores East)** Tract 7489 & 7708

  This zone was established in 2007 with a maximum base maximum rate of $160.00 per parcel which includes an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for April 1, 2007. On April 1, 2007, the CPI Index was set at 211.189. The most current CPI Index available at the time of this report was February 2011. The February 2011 CPI was 226.638, which translates to a 7.32% (226.638/211.189) increase since the base year. Therefore, the base maximum of $171.70 per parcel could be assessed in FY 2012. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 261 proposed parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2012, the total assessment revenue needed to operate and maintain the facilities within the zone is $44,813.70. Since the collection rate is limited to the base maximum amount, the following amount should be collected:

  $171.70 per proposed parcel

- **Zone 13 (Cannery Place)** Tract 7613, 7625, 7748 & 7749

  This zone was established in June 2008 with a base maximum rate of $951.98 per residential unit and $951.98 per commercial parcel which includes an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for July 1, 2008. On July 1, 2008, the CPI Index was set at 221.4195. The most current CPI Index available at the time of this report was February 2011. The February 2011 CPI was 226.638, which translates to a 2.36% (226.638/221.4195) increase since the base year. Therefore, the base maximum of $974.42 per residential unit and commercial parcel could be assessed in FY 2012. The project is proposed to be developed in two (2) phases. The current development phase will be constructed first and consist of the 297 residential units which have approved building permit applications. The future development phase will consist of the remaining 331 residential units and one commercial retail parcel. In FY 2012, the total assessment revenue needed to operate and maintain the facilities is $44,550.00. Therefore, each of the 297 residential units located within the current development phase will be assessed $150.00 and the remaining 331 residential units and one commercial retail parcel within the future development phase will be assessed $0.00 as shown below:

  $150.00 per unit (Current Development – Residential Unit)
  $0.00 per parcel (Future Development – Commercial Parcel)
  $0.00 per unit (Future Development – Residential Unit)

PART E

PROPERTY OWNER LIST & ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels, and the description of each lot or parcel within the City of Hayward's Landscaping & Lighting Assessment District No. 96-1 is shown on the last equalized Property Tax Roll of the Assessor of the County of Alameda, which by reference is hereby made a part of this report.

This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll, which includes the proposed amount of assessments for FY 2012 apportioned to each lot or parcel. The Assessment Roll is on file in the Office of the City Clerk of the City of Hayward and is shown in this report as Appendix "C".

APPENDIX A

DETAILED PROJECT COST BREAKDOWN

Fund 831 - Zone 1 - Fiscal Year 2012 Huntwood Avenue & Panjon Street	
	Fiscal Year 2012 Budget
Number of Assessable Parcels	30
Beginning Balance of Fiscal Year (July 1, 2011)	$17,621.48
REVENUE	
Annual Assessment Fee (30 Assessable Parcels)	$6,900.00
County Collection Fee (1.7%)	($117.30)
Net Revenue	$6,782.70
Total Available	$24,404.18
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy	$700.00
(b) **Maintenance Work**: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	$2,000.00
(c) **Landscape Upgrade/Replacement**	$1,700.00
Subtotal I:	$4,400.00
II. Supplies & Services	
(a) Special Services	$865.00
(b) Supplies: printing and postage	$15.00
Subtotal II:	$880.00
III. Administrative Services	
(a) Administration	$1,500.00
Subtotal III:	$1,500.00
Total Expense (Sum of I, II and II)	$6,780.00
Ending Balance of Fiscal Year (June 30, 2012)	$17,624.18
Deposit to Reserves	$2.70
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense) [1]	$3,390.00
(b) Current Working Capital Reserves [2]	$14,234.18
Anticipated Total Reserve at the end of Fiscal Year	$17,624.18
Collection per Parcel	$230.00
Base Assessment per Parcel	$265.64

NOTES:

(1) Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.

(2) In the event capital facilities need repair/replacement because of failure, damage, or vandalism these funds will be used.

Fund 832 - Zone 2 - Fiscal Year 2012 Harder Road & Mocine Avenue	
	Fiscal Year 2012 Budget
Number of Assessable Parcels	85
Beginning Balance of Fiscal Year (July 1, 2011)	$9,558.85
REVENUE	
Annual Assessment Fee (85 Assessable Parcels)	$7,911.80
County Collection Fee (1.7%)	($134.50)
Net Revenue	$7,777.30
Total Available	$17,336.15
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy	$900.00
(b) **Maintenance Work**: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	$4,500.00
(c) **Landscape Upgrade/Replacement**	$500.00
Subtotal I:	$5,900.00
II. Supplies & Services	
(a) Special Services	$865.00
(b) Supplies: printing and postage	$45.00
Subtotal II:	$910.00
III. Administrative Services	
(a) Administration	$1,000.00
Subtotal III:	$1,000.00
Total Expense (Sum of I, II and II)	$7,810.00
Ending Balance (June 30, 2012)	$9,526.15
Withdrawal from Reserves	($32.70)
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense) [1]	$3,905.00
(b) Current Working Capital Reserves [2]	$5,621.15
Anticipated Total Reserve at the end of Fiscal Year	$9,526.15
Collection per Parcel	$93.08
Base Assessment per Parcel	$93.08

NOTES:

(1) Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.

(2) In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.

Fund 833 - Zone 3 - Fiscal Year 2012 Hayward Boulevard & Fairview Avenue	
	Fiscal Year 2012 Budget
Number of Assessable Parcels	155
Beginning Balance of Fiscal Year (July 1, 2011)	$129,123.36
REVENUE	
Annual Assessment Fee (155 Assessable Parcels)	$118,897.40
County Collection Fee (1.7%)	($2,021.26)
Net Revenue	$116,876.14
Total Available	$245,999.50
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy	$26,500.00
(b) **Capital Project: Calsense Water Conservation Project**	$26,000.00
(c) **Maintenance Work**: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	$43,000.00
Subtotal I:	$95,500.00
II. Supplies & Services	
(a) Special Services	$2,595.00
(b) Supplies: printing and postage	$80.00
Subtotal II:	$2,675.00
III. Administrative Services	
(a) Administration	$7,500.00
Subtotal III:	$7,500.00
Total Expense (Sum of I, II and II)	$105,675.00
Ending Balance (June 30, 2012)	$140,324.50
Deposit into Reserves (HOA requested minimum of $10,000)	$11,201.14
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense) [1]	$52,837.50
(b) Current Working Capital Reserves [2]	$87,487.00
Anticipated Total Reserve at the end of Fiscal Year	$140,324.50
Collection per Parcel	$767.08
Base Assessment per Parcel	$767.08

NOTES:

(1) Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.

(2) In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.

Fund 834 - Zone 4 - Fiscal Year 2012 Pacheco Way, Stratford Road, Ruus Lane, Ward Creek	
	Fiscal Year 2012 Budget
Number of Assessable Parcels	175
Beginning Balance of Fiscal Year (July 1, 2011)	$79,473.61
REVENUE	
Annual Assessment Fee (175 Assessable Parcels)	$21,175.00
County Collection Fee (1.7%)	($359.98)
Net Revenue	$20,815.03
Total Available	$100,288.64
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy	$2,500.00
(b) **Maintenance Work**: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	$11,000.00
Subtotal I:	$13,500.00
II. Supplies & Services	
(a) Special Services	$865.00
(b) Special Services (Alameda County Drainage and Access Facilities)	$4,900.00
(c) Supplies: printing and postage	$50.00
Subtotal II:	$5,815.00
III. Administrative Services	
(a) Administration	$1,500.00
Subtotal III:	$1,500.00
Total Expense (Sum of I, II and II)	$20,815.00
Ending Balance of Fiscal Year (June 30, 2012)	$79,473.64
Deposit into Reserves	$0.02
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense) [1]	$10,407.50
(b) Current Working Capital Reserves [2]	$69,066.14
Anticipated Total Reserve at the end of Fiscal Year	$79,473.64
Collection per Parcel	$121.00
Base Assessment per Parcel	$121.00

NOTES:

(1) Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.

(2) In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.

Fund 835 - Zone 5 - Fiscal Year 2012 Soto Road & Plum Tree Street	
	Fiscal Year 2012 Budget
Number of Assessable Parcels	38
Beginning Balance of Fiscal Year (July 1, 2011)	$7,536.17
REVENUE	
Annual Assessment Fee (38 Assessable Parcels)	$5,286.56
County Collection Fee (1.7%)	($89.87)
Net Revenue	$5,196.69
Total Available	$12,732.86
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy	$1,110.00
(b) **Maintenance Work**: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	$1,800.00
(c) **Graffiti Abatement**	$500.00
Subtotal I:	$3,410.00
II. Supplies & Services	
(a) Special Services	$865.00
(b) Supplies: printing and postage	$20.00
Subtotal II:	$885.00
III. Administrative Services	
(a) Administration	$900.00
Subtotal III:	$900.00
Total Expense (Sum of I, II and II)	$5,195.00
Ending Balance of Fiscal Year (June 30, 2012)	$7,537.86
Deposit into Reserves	$1.69
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense)[1]	$2,597.50
(b) Current Working Capital Reserves[2]	$4,940.36
Anticipated Total Reserve at the end of Fiscal Year	$7,537.86
Collection per Parcel	$139.12
Base Assessment per Parcel	$139.12

NOTES:

(1) Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.

(2) In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.

Fund 820 - Zone 6 - Fiscal Year 2012 Peppertree Park	
	Fiscal Year 2012 Budget
Length of Assessable Street Frontage	4,994
Beginning Balance of Fiscal Year (July 1, 2011)	$40,314.45
REVENUE	
Annual Assessment Fee (4,994 Assessable Liner Feet)	$9,988.00
County Collection Fee (1.7%)	($169.80)
Net Revenue	$9,818.20
Total Available	$50,132.66
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy	$2,350.00
(b) **Maintenance Work**: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	$3,000.00
(c) **Landscape Upgrade/Replacement**	$2,000.00
Subtotal I:	$7,350.00
II. Supplies & Services	
(a) Special Services	$865.00
(b) Supplies: printing and postage	$10.00
Subtotal II:	$875.00
III. Administrative Services	
(a) Administration	$1,500.00
Subtotal III:	$1,500.00
Total Expense (Sum of I, II and II)	$9,725.00
Ending Balance of Fiscal Year (June 30, 2012)	$40,407.66
Deposit into Reserves	$93.20
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense) [1]	$4,862.50
(b) Current Working Capital Reserves [2]	$35,545.16
Anticipated Total Reserve at the end of Fiscal Year	$40,407.66
Collection per Parcel	$2.00
Base Assessment per Linear Foot	$2.61

NOTES:

(1) Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.

(2) In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.

Fund 837 - Zone 7 - Fiscal Year 2012 Mission Boulevard, Industrial Parkway, Arrowhead Way	
	Fiscal Year 2012 Budget
Number of Assessable Parcels	348
Beginning Balance of Fiscal Year (July 1, 2011)	$285,995.66
REVENUE	
Annual Assessment Fee (348 Assessable Parcels)	$167,040.00
County Collection Fee (1.7%)	($2,839.68)
Net Revenue	$164,200.32
Total Available	$450,195.98
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy	$31,000.00
(b) **Maintenance Work**: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	$51,400.00
Subtotal I:	$82,400.00
II. Supplies & Services	
(a) Special Services	$2,595.00
(b) Special Services (HARD)	$70,000.00
(c) Supplies: printing and postage	$200.00
Subtotal II:	$72,795.00
III. Administrative Services	
(a) Administration	$9,000.00
Subtotal III:	$9,000.00
Total Expense (Sum of I, II and II)	$164,195.00
Ending Balance of Fiscal Year (June 30, 2012)	$286,000.98
Deposit into Reserves	$5.32
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense) [1]	$82,097.50
(b) Current Working Capital Reserves [2]	$203,903.48
Anticipated Total Reserve at the end of Fiscal Year	$286,000.98
Collection per Parcel	$480.00
Base Assessment per Parcel	$802.32

NOTES:

(1) Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.

(2) In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.

Fund 839 - Zone 8 - Fiscal Year 2012 Capitola Street	
	Fiscal Year 2012 Budget
Number of Assessable Parcels	24
Beginning Balance of Fiscal Year (July 1, 2011)	$13,465.78
REVENUE	
Annual Assessment Fee (24 Assessable Parcels)	$8,400.00
County Collection Fee (1.7%)	($142.80)
Net Revenue	$8,257.20
Total Available	$21,722.98
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy	$3,500.00
(b) **Maintenance Work**: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	$2,600.00
Subtotal I:	$6,100.00
II. Supplies & Services	
(a) Special Services	$865.00
(b) Supplies: printing and postage	$20.00
Subtotal II:	$885.00
III. Administrative Services	
(a) Administration	$1,200.00
Subtotal III:	$1,200.00
Total Expense (Sum of I, II and II)	$8,185.00
Ending Balance of Fiscal Year (June 30, 2012)	$13,537.98
Deposit into Reserves	$72.20
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense) [1]	$4,092.50
(b) Current Working Capital Reserves [2]	$9,445.48
Anticipated Total Reserve at the end of Fiscal Year	$13,537.98
Collection per Parcel	$350.00
Base Assessment per Parcel	$573.82

NOTES:

(1) Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.

(2) In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.

Fund 821 - Zone 9 - Fiscal Year 2012 Orchard Avenue	
	Fiscal Year 2012 Budget
Number of Assessable Parcels	74
Beginning Balance of Fiscal Year (July 1, 2011)	$9,582.75
REVENUE	
Annual Assessment Fee (74 Assessable Parcels)	$1,850.00
County Collection Fee (1.7%)	($31.45)
Net Revenue	$1,818.55
Total Available	$11,401.30
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy	$0.00
(b) **Maintenance Work**: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	$400.00
(c) **Landscape Upgrade/Replacement**	$600.00
Subtotal I:	$1,000.00
II. Supplies & Services	
(a) Special Services (consultants)	$865.00
(b) Supplies: printing and postage	$40.00
Subtotal II:	$905.00
III. Administrative Services	
(a) Administration	$500.00
Subtotal III:	$500.00
Total Expense (Sum of I, II and II)	$2,405.00
Ending Balance of Fiscal Year (June 30, 2012)	$8,996.30
Withdrawal from Reserves	($586.45)
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense) [1]	$1,202.50
(b) Current Working Capital Reserves [2]	$7,793.80
Anticipated Total Reserve at the end of Fiscal Year	$8,996.30
Collection per Parcel	$25.00
Base Assessment per Parcel	$153.22

NOTES:

(1) Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.

(2) In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.

Fund 822 - Zone 10 - Fiscal Year 2012 Eden Shores	
	Fiscal Year 2012 Budget
Number of Assessable Parcels	534
Beginning Balance of Fiscal Year (July 1, 2011)	$768,730.29
REVENUE	
Annual Assessment Fee (534 Assessable Parcels)	$160,200.00
County Collection Fee (1.7%)	($2,723.40)
Net Revenue	$157,476.60
Total Available	$926,206.89
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy	$16,500.00
(b) **Maintenance Work**: Landscaping maintenance, debris removal, trimming, and masonry wall surface maintenance (See II.c)	$0.00
(d) **Capital Project - Tree Replacement in LLAD Common Areas**	$5,000.00
Subtotal I:	$21,500.00
II. Supplies & Services	
(a) Special Services	$2,595.00
(b) Special Services (HARD 5-Acre Park Maintenance)	$93,700.00
(c) Special Services (Eden Shores HOA)	$36,000.00
(d) Supplies: printing and postage	$150.00
Subtotal II:	$132,445.00
III. Administrative Services	
(a) Administration	$8,500.00
Subtotal III:	$8,500.00
Total Expense (Sum of I, II and II)	$162,445.00
Ending Balance of Fiscal Year (June 30, 2012)	$763,761.89
Withdrawal from Reserves	($4,968.40)
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense) [1]	$81,222.50
(b) Current Working Capital Reserves [2]	$682,539.39
Anticipated Total Reserve at the end of Fiscal Year	$763,761.89
Collection per Parcel	$300.00
Base Assessment per Parcel	$913.62

NOTES:

(1) Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.

(2) In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.

Fund 823 - Zone 11 - Fiscal Year 2012 Stonebrae Country Club	
	Fiscal Year 2012 Budget
Number of Assessable Parcels (Current Development)	244
Number of Assessable Parcels (Future Development)	312
Beginning Balance of Fiscal Year (July 1, 2011)	$580,296.75
REVENUE	
Annual Assessment Fee (244 Current Assessable Parcels)	$84,160.48
Annual Assessment Fee (312 Future Assessable Parcels)	$56,216.16
County Collection Fee (1.7%)	($955.67)
Net Revenue	$139,420.97
Total Available	$719,717.72
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) Utilities: Irrigation water and electrical energy (Stonebrae HOA)	$39,500.00
(b) Maintenance Work: Lighting Repair/Replacement	$13,000.00
(c) Landscape Upgrade/Replacement	$10,000.00
Subtotal I:	$62,500.00
II. Supplies & Services	
(a) Special Services	$2,595.00
(b) Special Services (Stonebrae HOA - Landscaping)	$77,000.00
(c) Supplies: printing and postage	$140.00
Subtotal II:	$79,735.00
III. Administrative Services	
(a) Administration	$7,000.00
Subtotal III:	$7,000.00
Total Expense (Sum of I, II and II)	$149,235.00
Ending Balance of Fiscal Year (June 30, 2012)	$570,482.72
Withdrawal from Reserves	($9,814.03)
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense) [1]	$74,617.50
(b) Current Working Capital Reserves [2]	$495,865.22
Anticipated Total Reserve at the end of Fiscal Year	$570,482.72
Collection per Parcel (current development)	$344.92
Collection per Parcel (future development)	$180.18
Base Assessment per Parcel	$1,295.82

NOTES:

(1) Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.

(2) In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.

Fund 824 - Zone 12 - Fiscal Year 2012 Eden Shores East	
	Fiscal Year 2012 Budget
Number of Assessable Parcels	261
Beginning Balance of Fiscal Year (July 1, 2011)	$25,775.71
REVENUE	
Annual Assessment Fee (261 Assessable Parcels)	$44,813.70
County Collection Fee (1.7%)	($761.83)
Net Revenue	$44,051.87
Total Available	$69,827.58
EXPENDITURE	
I. MAINTENANCE & UTILITY (HARD)	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy (HARD)	$0.00
(b) **Maintenance Work**: Landscaping maintenance, debris removal, and masonry wall surface maintenance (See II.b)	$0.00
Subtotal I:	$0.00
II. Supplies & Services	
(a) Special Services	$2,595.00
(b) Special Services (HARD)	$38,000.00
(c) Supplies: printing and postage	$150.00
Subtotal II:	$40,745.00
III. Administrative Services	
(a) Administration	$3,000.00
Subtotal III:	$3,000.00
Total Expense (Sum of I, II and II)	$43,745.00
Ending Balance of Fiscal Year (June 30, 2012)	$26,082.58
Deposit into Reserves	$306.87
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense) [1]	$21,872.50
(b) Current Working Capital Reserves [2]	$4,210.08
Anticipated Total Reserve at the end of Fiscal Year	$26,082.58
Collection per Parcel	$171.70
Base Assessment per Parcel	$171.70

NOTES:

(1) Operating reserves are not needed for future fiscal years because the Hayward Area Recreation and Park District will front the costs until the City is paid by the County.

(2) Capital reserves are not needed for future fiscal years because the Hayward Area Recreation and Park District will budget these costs from their General Fund.

Fund 825 - Zone 13 - Fiscal Year 2012 Cannery Place	
	Fiscal Year 2012 Budget
Number of Assessable Parcels (Current Development)	297
Number of Assessable Parcels (Future Development)	332
Beginning Balance of Fiscal Year (July 1, 2011)	$29,700.67
REVENUE	
Annual Assessment Fee (297 Current Assessable Parcels)	$44,550.00
Annual Assessment Fee (332 Future Assessable Parcels)	$0.00
County Collection Fee (1.7%)	($757.35)
Net Revenue	$43,792.65
Total Available	$73,493.32
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy (Vacant)	$0.00
(b) **Maintenance Work**: Landscaping maintenance plus debris removal, weeding, trimming, spraying, and masonry wall surface maintenance (Vacant)	$0.00
Subtotal I:	$0.00
II. Supplies & Services	
(a) Special Services	$2,595.00
(b) Supplies: printing and postage	$200.00
Subtotal II:	$2,795.00
III. Administrative Services	
(a) Administration	$3,000.00
Subtotal III:	$3,000.00
Total Expense (Sum of I, II and II)	$5,795.00
Ending Balance of Fiscal Year (June 30, 2012)	$67,698.32
Deposit into Reserves	$37,997.65
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense) [1]	$2,897.50
(b) Current Working Capital Reserves [2]	$64,800.82
Anticipated Total Reserve at the end of Fiscal Year	$67,698.32
Collection per Parcel (current development)	$150.00
Collection per Parcel (future development)	$0.00
Base Assessment per Parcel	$974.42

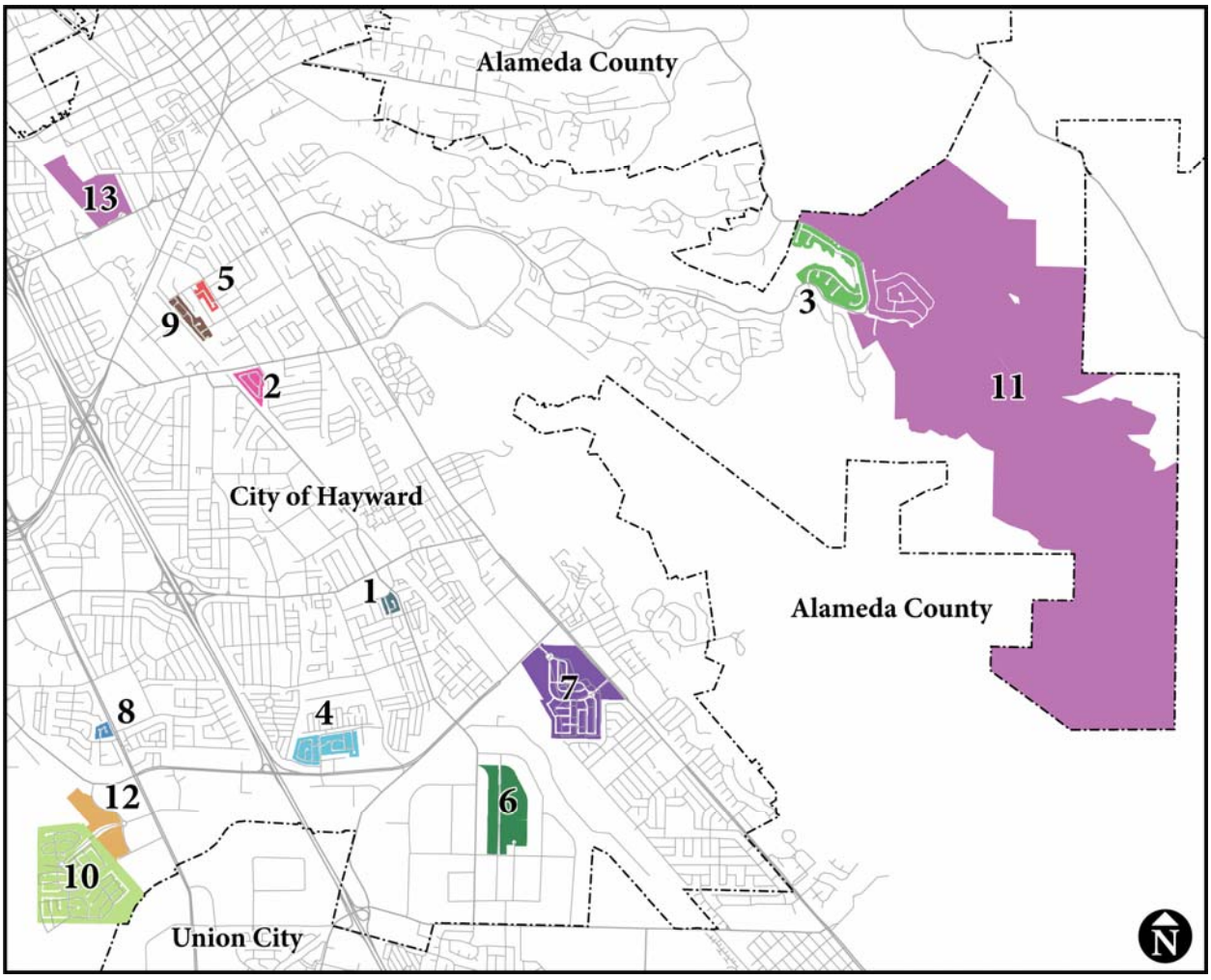
NOTES:

(1) Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.

(2) In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.

APPENDIX B

VICINITY MAP


Alameda County
13
5
9
2
3
11
City of Hayward
1
Alameda County
7
8
4
12
6
10
Union City
N

APPENDIX C

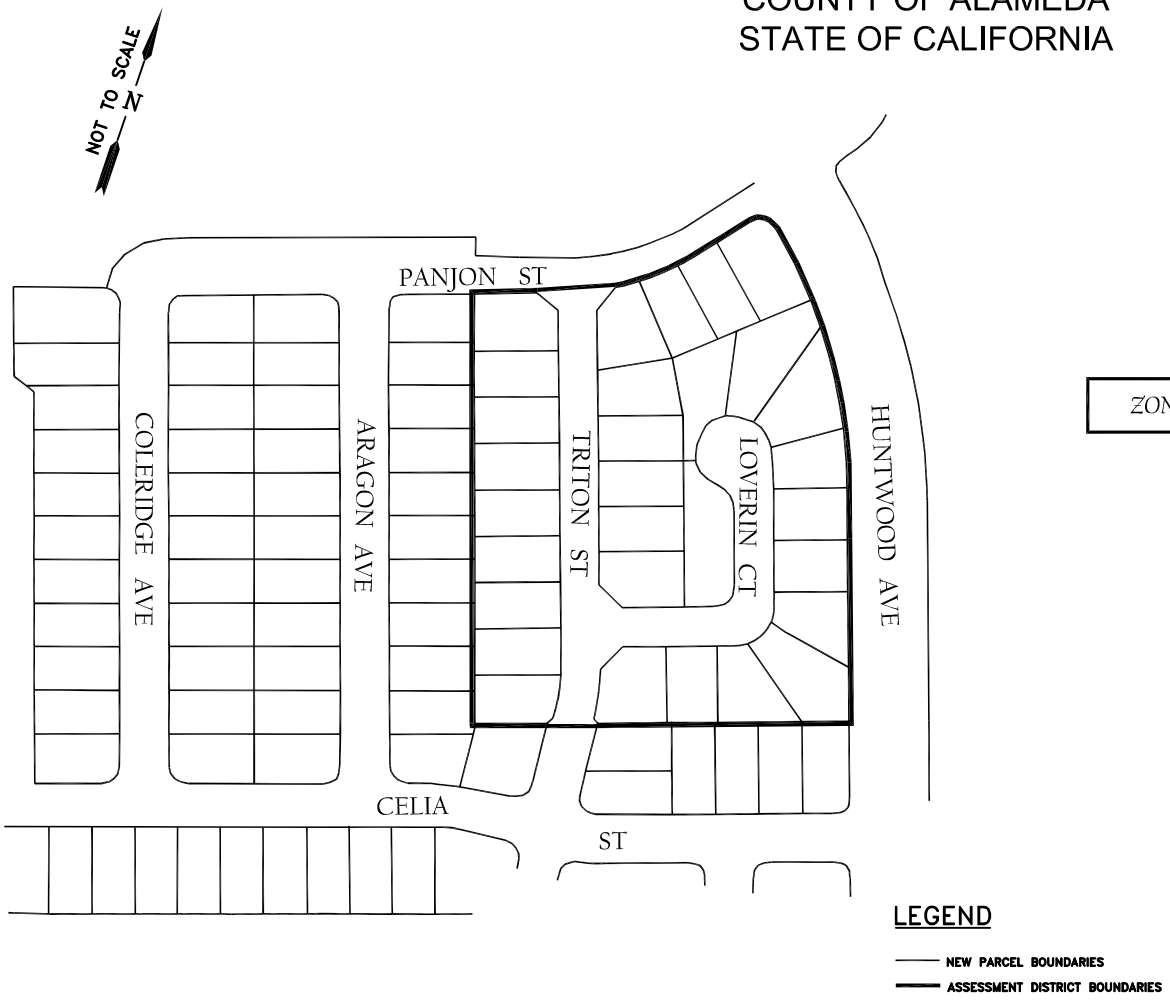
ASSESMENT DIAGRAM

ASSESSMENT DISTRICT DIAGRAM

SHEET 1 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 1: HUNTWOOD AVENUE AND PANJON STREET

PREPARED BY FRANCISCO & ASSOCIATES, INC.

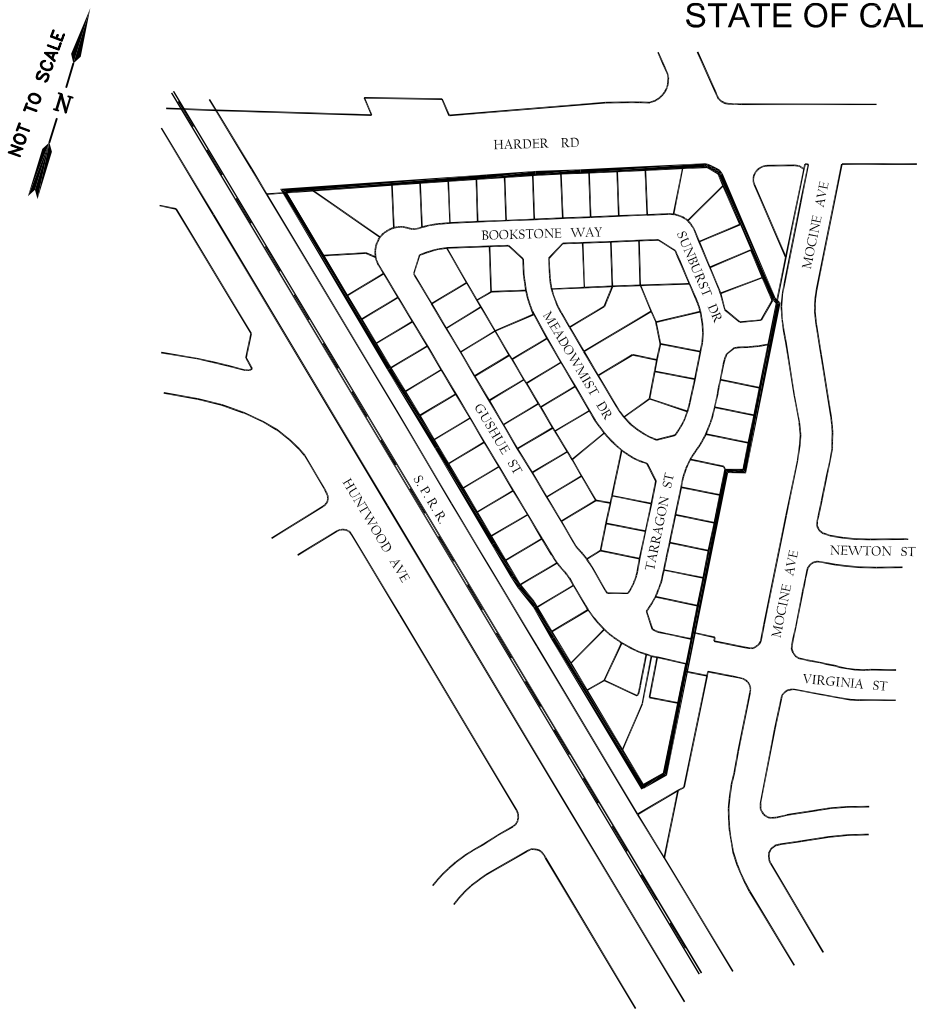
N:\$PROJ\HAYWARD\FY08-09\LLAD\CADD\zone_1.dwg SA 03-10-08

ASSESSMENT DISTRICT DIAGRAM

SHEET 2 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 2: HARDER ROAD AND MOCINO AVENUE

LEGEND

NEW PARCEL BOUNDARIES
ASSESSMENT DISTRICT BOUNDARIES

PREPARED BY FRANCISCO & ASSOCIATES, INC.

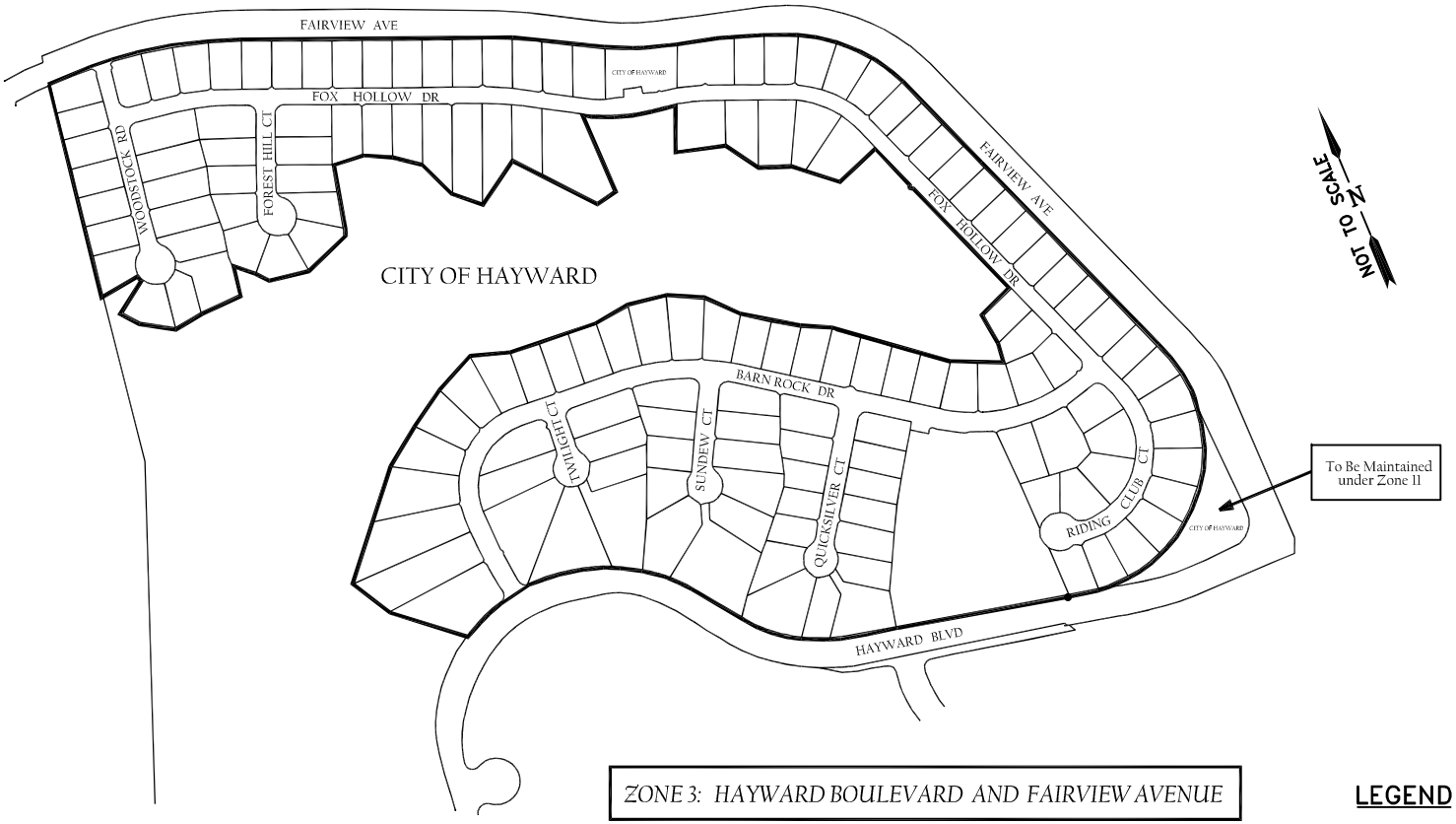
N:\$PROJ\HAYWARD\FY08-09\LLAD\CADD\zone_2.dwg SA 03-10-08

ASSESSMENT DISTRICT DIAGRAM

SHEET 3 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 3: HAYWARD BOULEVARD AND FAIRVIEW AVENUE

LEGEND

NEW PARCEL BOUNDARIES
ASSESSMENT DISTRICT BOUNDARIES

PREPARED BY FRANCISCO & ASSOCIATES, INC.

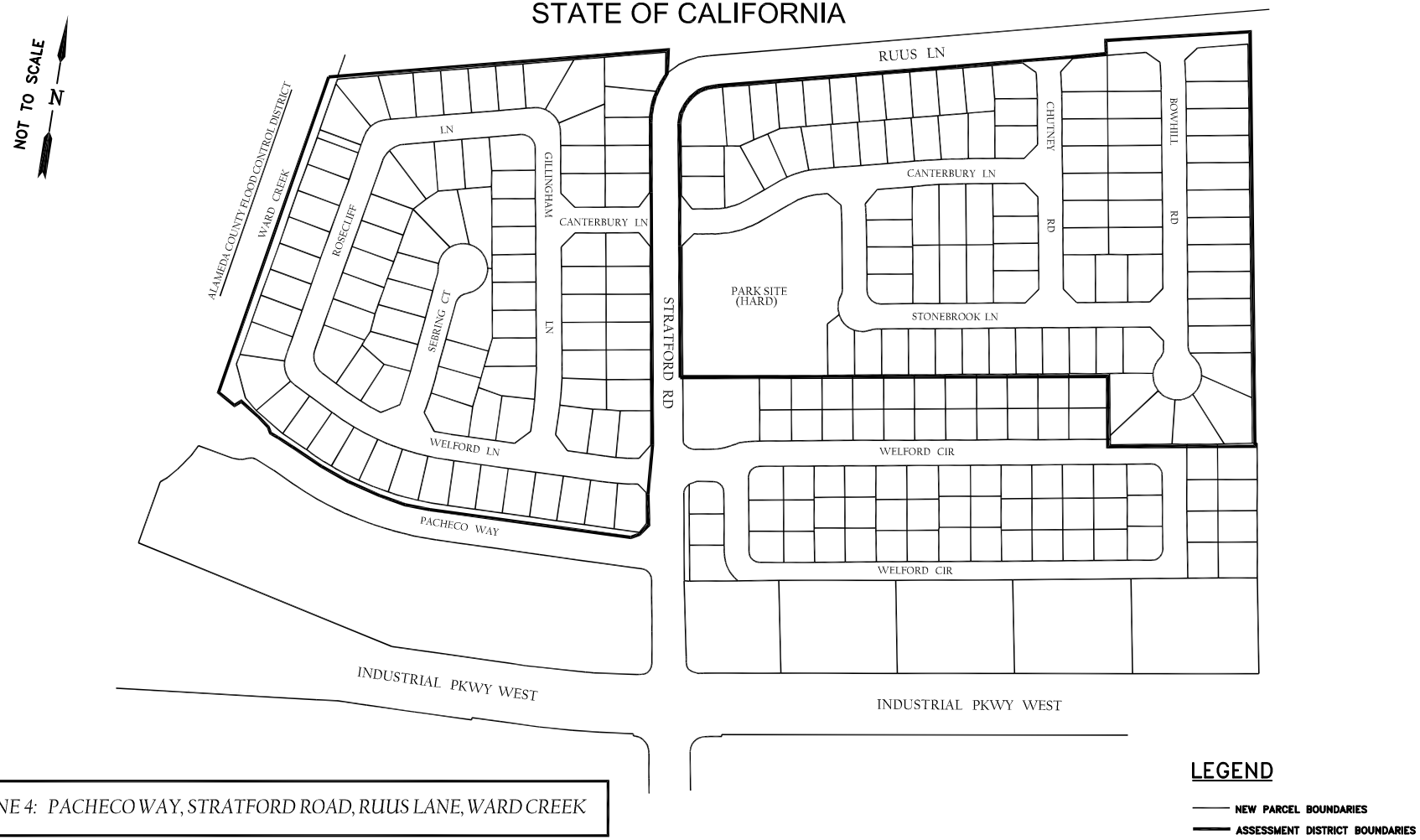
N:\$PROJ\HAYWARD\FY08-09\LLAD\CADD\zone_3.dwg SA 03-10-08

ASSESSMENT DISTRICT DIAGRAM

SHEET 4 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 4: PACHECO WAY, STRATFORD ROAD, RUUS LANE, WARD CREEK

LEGEND

NEW PARCEL BOUNDARIES
ASSESSMENT DISTRICT BOUNDARIES

PREPARED BY FRANCISCO & ASSOCIATES, INC.

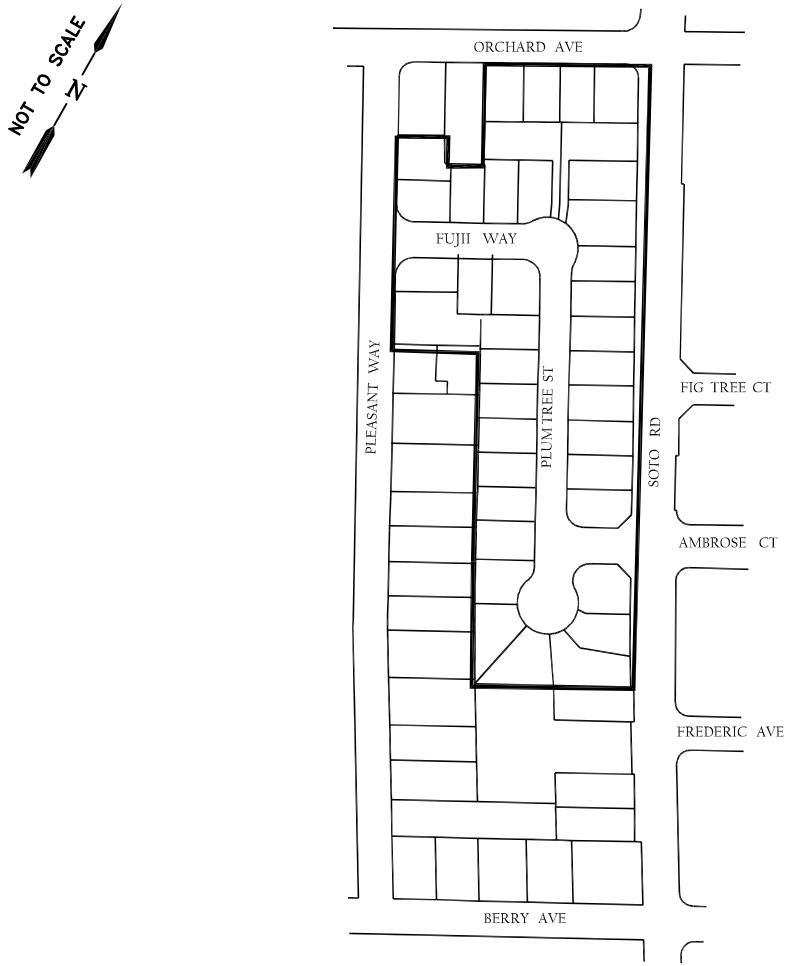
N:\$PROJ\HAYWARD\FY08-09\LLAD\CADD\zone_4.dwg SA 03-10-08

ASSESSMENT DISTRICT DIAGRAM

SHEET 5 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 5: SOTO ROAD AND PLUM TREE STREET

LEGEND

NEW PARCEL BOUNDARIES
ASSESSMENT DISTRICT BOUNDARIES

PREPARED BY FRANCISCO & ASSOCIATES, INC.

N:\$PROJ\HAYWARD\FY08-09\LLAD\CADD\zone_5.dwg SA 03-10-08

ASSESSMENT DISTRICT DIAGRAM

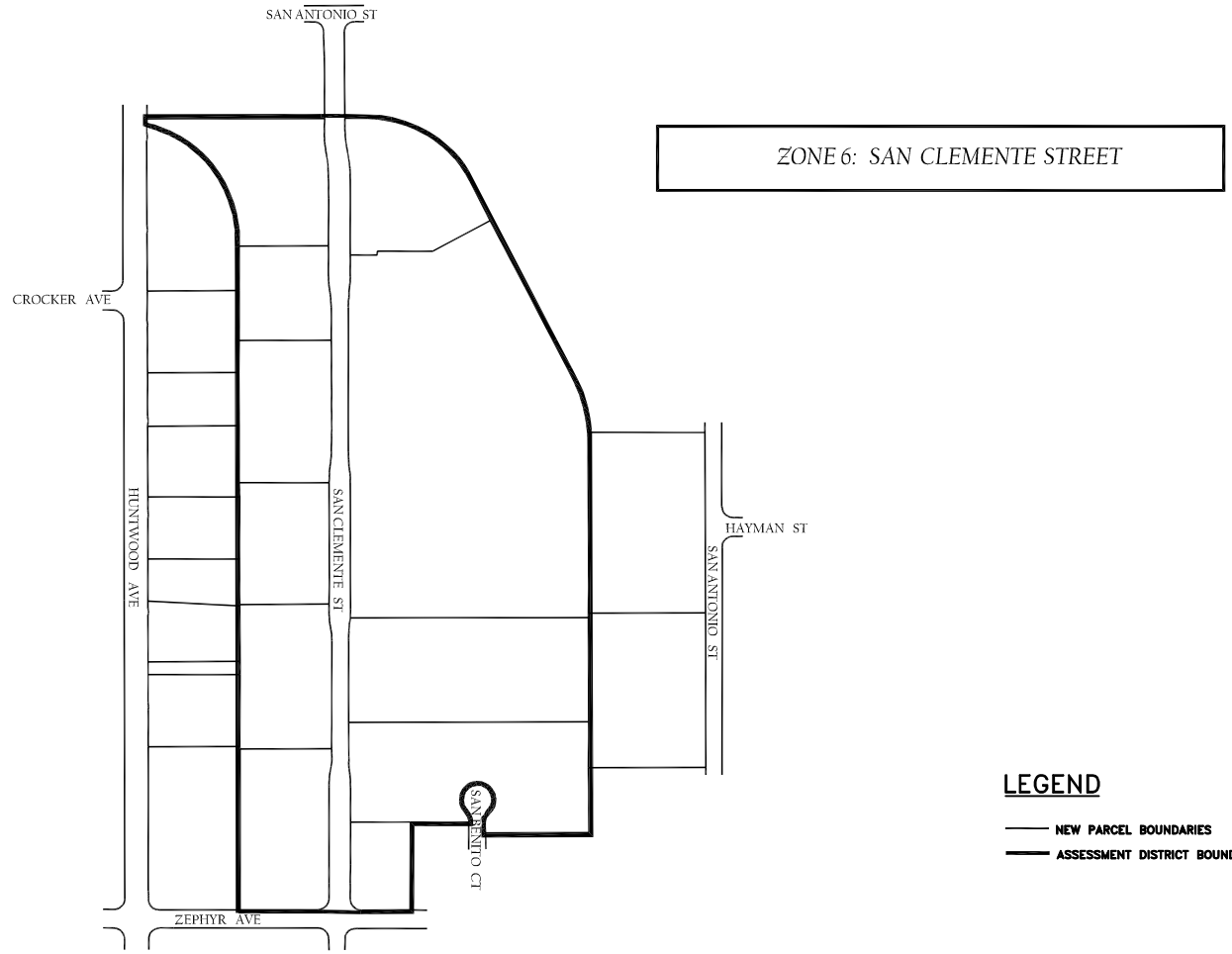
SHEET 6 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

NOT TO SCALE

N



LEGEND

NEW PARCEL BOUNDARIES

ASSESSMENT DISTRICT BOUNDARIES

PREPARED BY FRANCISCO & ASSOCIATES, INC.

N:\$PROJ\HAYWARD\FY08-09\LLAD\CADD\zone_6.dwg SA 03-10-08

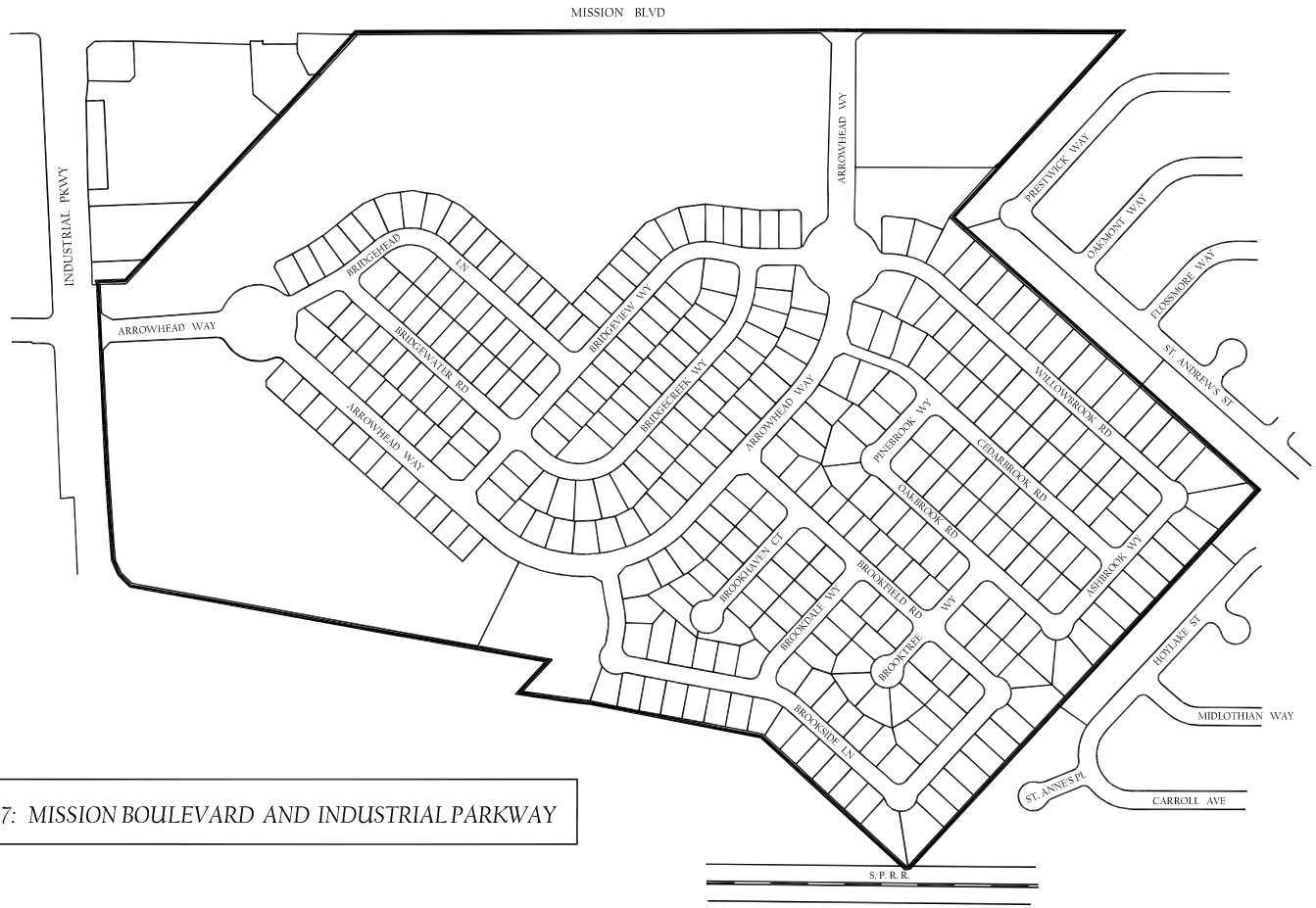
ASSESSMENT DISTRICT DIAGRAM

SHEET 7 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

N
NOT TO SCALE



ZONE 7: MISSION BOULEVARD AND INDUSTRIAL PARKWAY

LEGEND

NEW PARCEL BOUNDARIES
ASSESSMENT DISTRICT BOUNDARIES

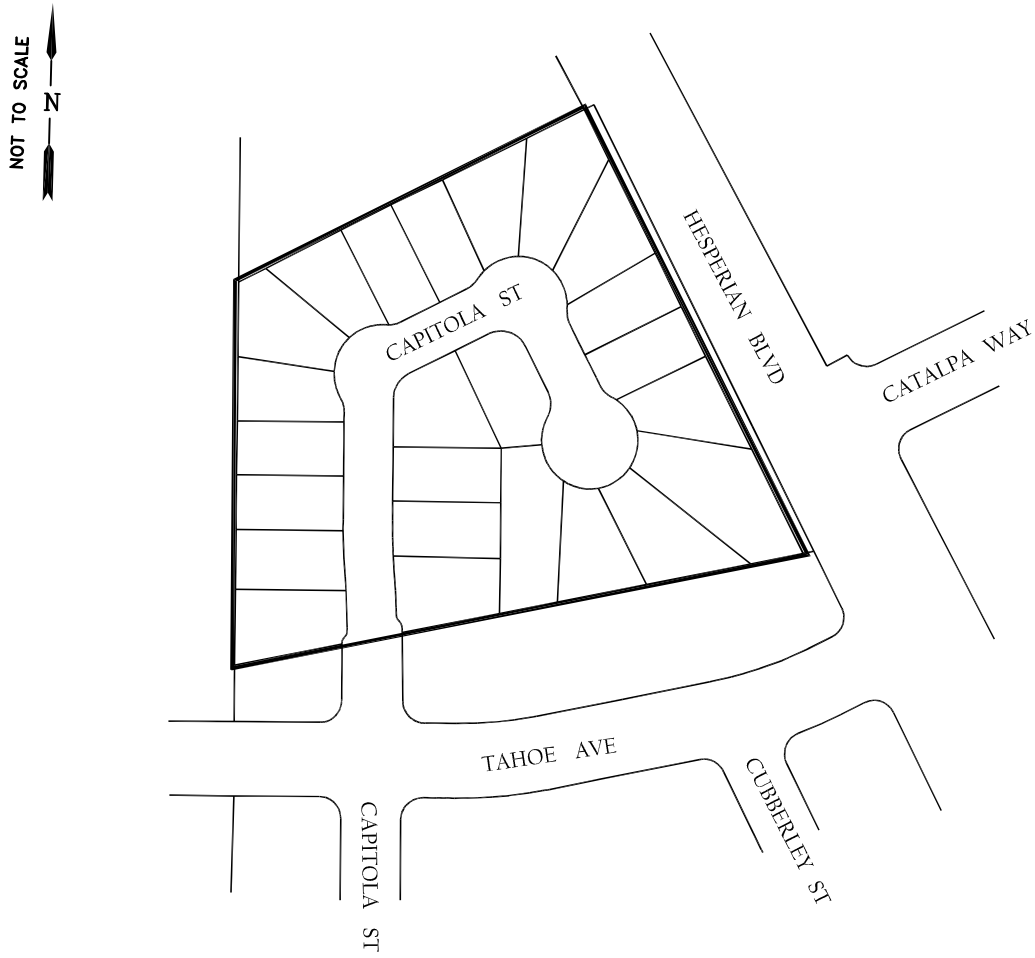
PREPARED BY FRANCISCO & ASSOCIATES, INC.

N:\$PROJ\HAYWARD\FY08-09\LLAD\CADD\zone_7.dwg SA 03-10-08

ASSESSMENT DISTRICT DIAGRAM

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 8: CAPITOLA STREET

LEGEND

NEW PARCEL BOUNDARIES
ASSESSMENT DISTRICT BOUNDARIES

PREPARED BY FRANCISCO & ASSOCIATES, INC.

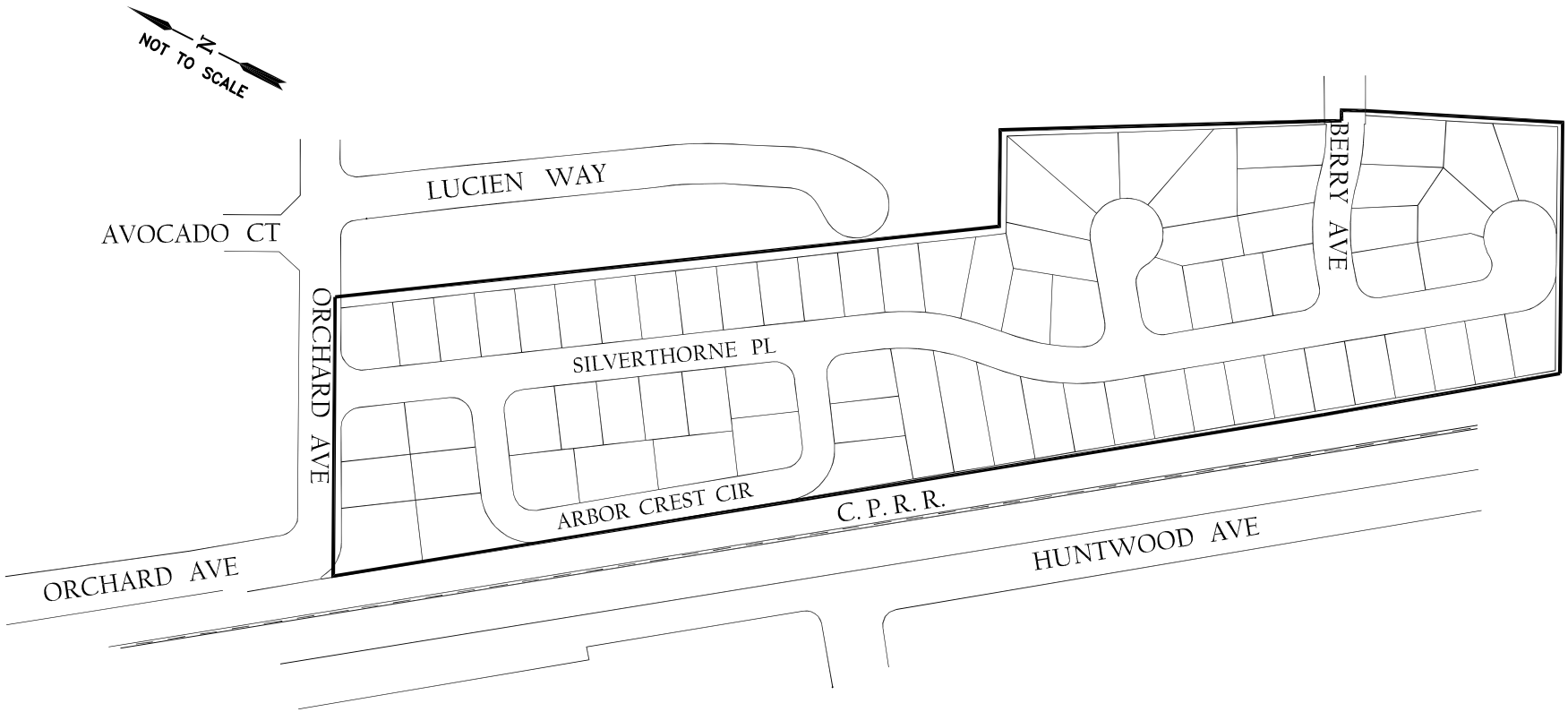
N:\$PROJ\HAYWARD\FY08-09\LLAD\CADD\zone_8.dwg SA 03-10-08

ASSESSMENT DISTRICT DIAGRAM

SHEET 9 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 9: ORCHARD AVENUE

LEGEND

NEW PARCEL BOUNDARIES
ASSESSMENT DISTRICT BOUNDARIES

PREPARED BY FRANCISCO & ASSOCIATES, INC.

N:\$PROJ\HAYWARD\FY08-09\LLAD\CADD\zone_9.dwg SA 03-10-08

ASSESSMENT DISTRICT DIAGRAM

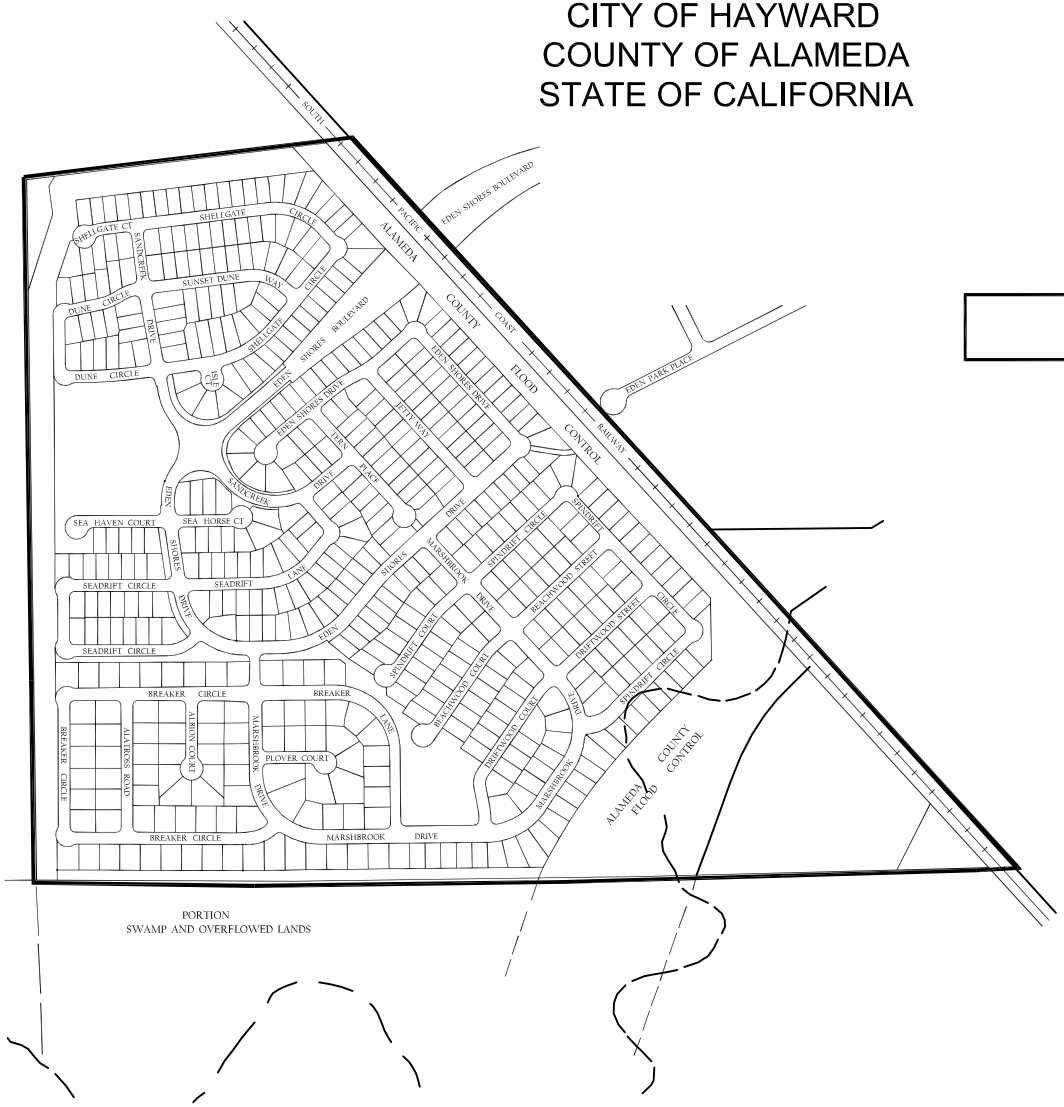
SHEET 10 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

NOT TO SCALE

N



ZONE 10: EDEN SHORES

LEGEND

NEW PARCEL BOUNDARIES
ASSESSMENT DISTRICT BOUNDARIES

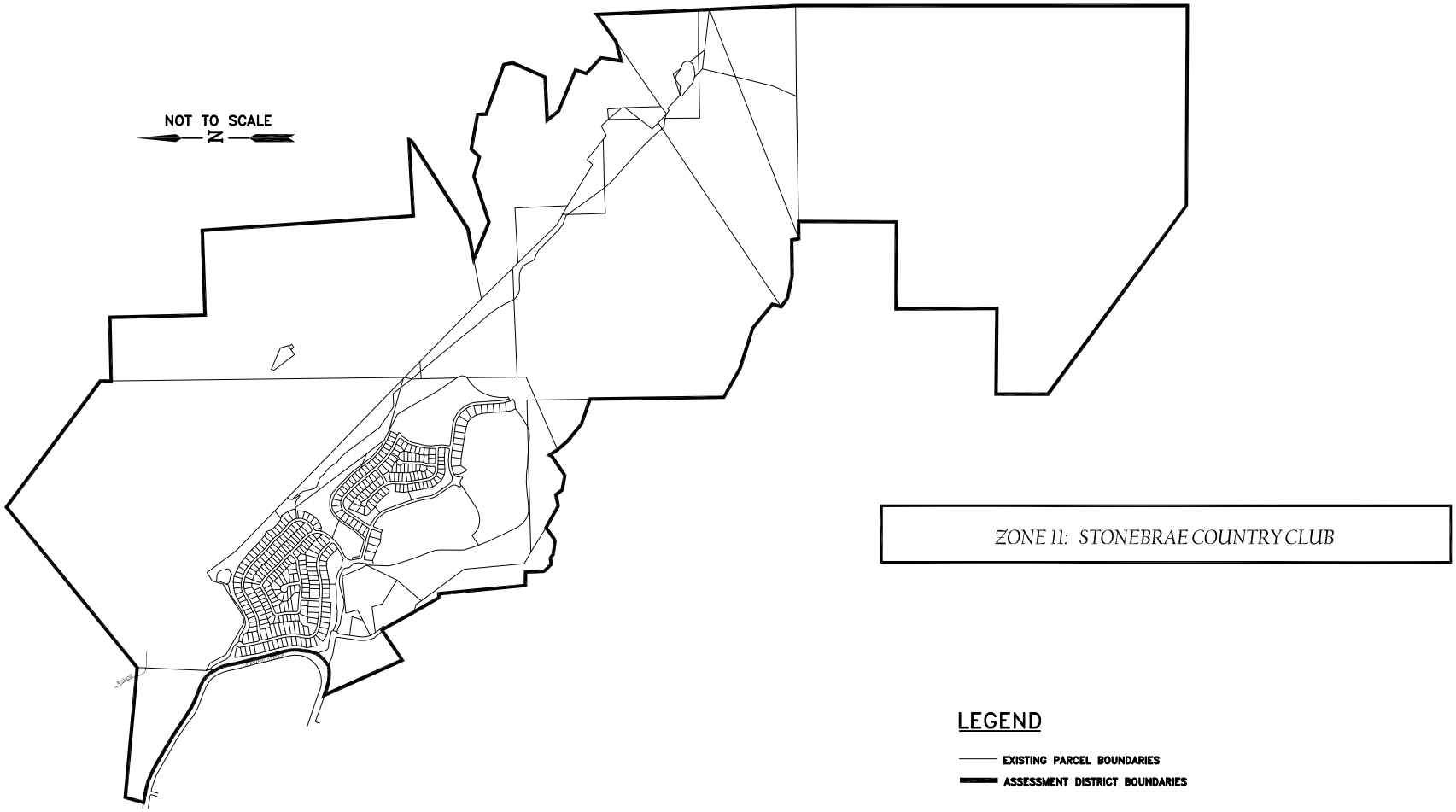
PREPARED BY FRANCISCO & ASSOCIATES, INC.

N:\$PROJ\HAYWARD\FY08-09\LLAD\CADD\zone_10.dwg SA 03-10-08

ASSESSMENT DISTRICT DIAGRAM

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



PREPARED BY FRANCISCO & ASSOCIATES, INC.

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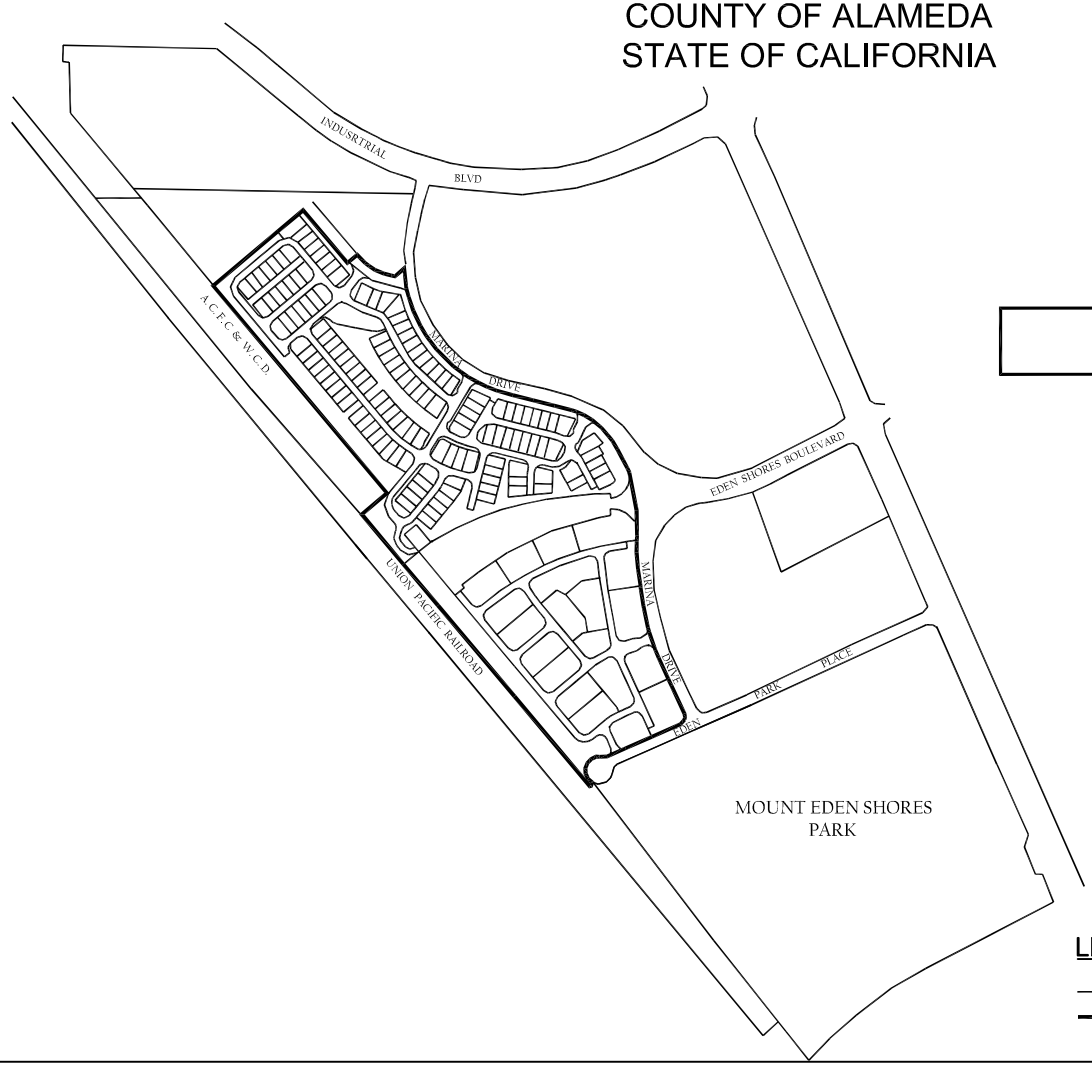
ASSESSMENT DISTRICT DIAGRAM

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

NOT TO SCALE
N



ZONE 12: EDEN SHORES EAST

LEGEND

NEW PARCEL BOUNDARIES
ASSESSMENT DISTRICT BOUNDARIES

PREPARED BY FRANCISCO & ASSOCIATES, INC.

N:\$PROJ\HAYWARD\FY10-11\LLAD\CADD\zone_12.dwg SA 04-20-10

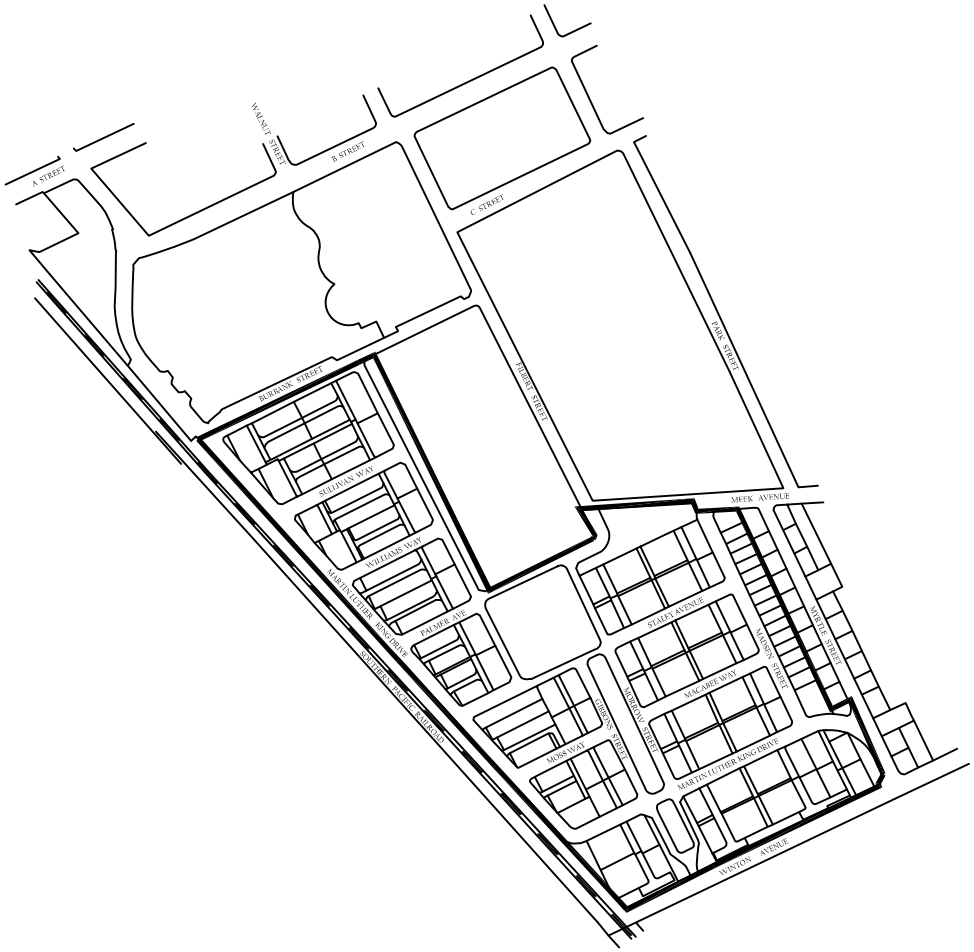
ASSESSMENT DISTRICT DIAGRAM

SHEET 13 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

NOT TO SCALE
N



ZONE 13: CANNERY PLACE

LEGEND

EXISTING PARCEL BOUNDARIES
ASSESSMENT DISTRICT BOUNDARIES

PREPARED BY FRANCISCO & ASSOCIATES, INC.

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APPENDIX D

FISCAL YEAR 2012
ASSESSMENT ROLL

City of Hayward
Landscaping & Lighting District No. 96-1

Zone 01

Huntwood Ave. & Panjon St.

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
465 -0005-011-00	$230.00
465 -0005-012-00	$230.00
465 -0005-013-00	$230.00
465 -0005-014-00	$230.00
465 -0005-015-00	$230.00
465 -0005-016-00	$230.00
465 -0005-017-00	$230.00
465 -0005-018-00	$230.00
465 -0005-019-00	$230.00
465 -0005-020-00	$230.00
465 -0005-021-00	$230.00
465 -0005-022-00	$230.00
465 -0005-023-00	$230.00
465 -0005-024-00	$230.00
465 -0005-025-00	$230.00
465 -0005-026-00	$230.00
465 -0005-027-00	$230.00
465 -0005-028-00	$230.00
465 -0005-029-00	$230.00
465 -0005-030-00	$230.00
465 -0005-031-00	$230.00
465 -0005-032-00	$230.00
465 -0005-033-00	$230.00
465 -0005-034-00	$230.00
465 -0005-035-00	$230.00
465 -0005-036-00	$230.00
465 -0005-037-00	$230.00
465 -0005-038-00	$230.00
465 -0005-039-00	$230.00
465 -0005-040-00	$230.00
Total Parcels:	@ 30
Total Assessment:	$6,900.00

City of Hayward
Landscaping & Lighting District No. 96-1
Zone 02
Harder Rd. & Mocine Ave.

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
452 -0004-006-00	$93.08
452 -0004-007-00	$93.08
452 -0004-008-00	$93.08
452 -0004-009-00	$93.08
452 -0004-010-00	$93.08
452 -0004-011-00	$93.08
452 -0004-012-00	$93.08
452 -0004-013-00	$93.08
452 -0004-014-00	$93.08
452 -0004-015-00	$93.08
452 -0004-016-00	$93.08
452 -0004-017-00	$93.08
452 -0004-018-00	$93.08
452 -0004-019-00	$93.08
452 -0004-020-00	$93.08
452 -0004-021-00	$93.08
452 -0004-022-00	$93.08
452 -0004-023-00	$93.08
452 -0004-024-00	$93.08
452 -0004-025-00	$93.08
452 -0004-026-00	$93.08
452 -0004-027-00	$93.08
452 -0004-028-00	$93.08
452 -0004-029-00	$93.08
452 -0004-030-00	$93.08
452 -0004-031-00	$93.08
452 -0004-032-00	$93.08
452 -0004-033-00	$93.08
452 -0004-034-00	$93.08
452 -0004-035-00	$93.08
452 -0004-036-00	$93.08
452 -0004-037-00	$93.08
452 -0004-038-00	$93.08
452 -0004-039-00	$93.08
452 -0004-040-00	$93.08
452 -0004-041-00	$93.08
452 -0004-042-00	$93.08
452 -0004-043-00	$93.08
452 -0004-045-00	$93.08
452 -0004-046-00	$93.08
452 -0004-047-00	$93.08
452 -0004-048-00	$93.08
452 -0004-049-00	$93.08
452 -0004-050-00	$93.08
452 -0004-051-00	$93.08
452 -0004-052-00	$93.08
452 -0004-053-00	$93.08
452 -0004-054-00	$93.08
452 -0004-055-00	$93.08
452 -0004-056-00	$93.08
452 -0004-057-00	$93.08
452 -0004-058-00	$93.08

Assessor's Parcel Number	Assessment Amount
452 -0004-059-00	$93.08
452 -0004-060-00	$93.08
452 -0004-061-00	$93.08
452 -0004-062-00	$93.08
452 -0004-063-00	$93.08
452 -0004-064-00	$93.08
452 -0004-065-00	$93.08
452 -0004-066-00	$93.08
452 -0004-067-00	$93.08
452 -0004-068-00	$93.08
452 -0004-069-00	$93.08
452 -0004-070-00	$93.08
452 -0004-071-00	$93.08
452 -0004-072-00	$93.08
452 -0004-073-00	$93.08
452 -0004-074-00	$93.08
452 -0004-075-00	$93.08
452 -0004-076-00	$93.08
452 -0004-077-00	$93.08
452 -0004-078-00	$93.08
452 -0004-079-00	$93.08
452 -0004-080-00	$93.08
452 -0004-081-00	$93.08
452 -0004-082-00	$93.08
452 -0004-083-00	$93.08
452 -0004-084-00	$93.08
452 -0004-085-00	$93.08
452 -0004-086-00	$93.08
452 -0004-087-00	$93.08
452 -0004-088-00	$93.08
452 -0004-089-00	$93.08
452 -0004-090-00	$93.08
452 -0004-091-00	$93.08
Total Parcels:	**@ 85**
Total Assessment:	**$7,911.80**

City of Hayward
Landscaping & Lighting District No. 96-1

Zone 03

Hayward Blvd. & Fairview Ave.

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
425-0490-008-00	$767.08
425-0490-009-00	$767.08
425-0490-010-00	$767.08
425-0490-011-00	$767.08
425-0490-012-00	$767.08
425-0490-013-00	$767.08
425-0490-014-00	$767.08
425-0490-015-00	$767.08
425-0490-016-00	$767.08
425-0490-017-00	$767.08
425-0490-018-00	$767.08
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425-0490-069-00	$767.08
425-0490-070-00	$767.08
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425-0490-072-00	$767.08
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425-0490-075-00	$767.08
425-0490-076-00	$767.08
425-0490-077-00	$767.08
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425-0490-083-00	$767.08
425-0490-084-00	$767.08
425-0490-085-00	$767.08
425-0490-086-00	$767.08
425-0490-087-00	$767.08
425-0490-088-00	$767.08
425-0490-093-00	$767.08
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425-0490-112-00	$767.08
425-0490-113-00	$767.08
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425-0490-116-00	$767.08
425-0490-117-00	$767.08
425-0490-118-00	$767.08
425-0490-119-00	$767.08
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425-0490-121-00	$767.08
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425-0490-131-00	$767.08
425-0490-132-00	$767.08
425-0490-133-00	$767.08
425-0490-134-00	$767.08
425-0490-135-00	$767.08
425-0490-136-00	$767.08
425-0490-137-00	$767.08
425-0490-138-00	$767.08
425-0490-139-00	$767.08
425-0490-140-00	$767.08
425-0490-141-00	$767.08
425-0490-142-00	$767.08
425-0490-143-00	$767.08
425-0490-144-00	$767.08
425-0490-145-00	$767.08
425-0490-146-00	$767.08
425-0490-147-00	$767.08
425-0490-148-00	$767.08
425-0490-149-00	$767.08
425-0490-150-00	$767.08
425-0490-151-00	$767.08
425-0490-152-00	$767.08
425-0490-153-00	$767.08
425-0490-154-00	$767.08
425-0490-155-00	$767.08
425-0490-156-00	$767.08
425-0490-157-00	$767.08
425-0490-158-00	$767.08
425-0490-159-00	$767.08
425-0490-160-00	$767.08
425-0490-161-00	$767.08
425-0490-162-00	$767.08
425-0490-163-00	$767.08
425-0490-164-00	$767.08
425-0490-165-00	$767.08
425-0490-166-00	$767.08
425-0490-167-00	$767.08
425-0490-168-00	$767.08
425-0490-169-00	$767.08
425-0490-170-00	$767.08
425-0490-171-00	$767.08
425-0490-091-01	$767.08
425-0490-175-00	$767.08
425-0490-177-00	$767.08
425-0490-178-01	$767.08

Assessor's Parcel Number	Assessment Amount
Total Parcels:	@ 155
Total Assessment:	$118,897.40

City of Hayward
Landscaping & Lighting District No. 96-1

Zone 04

Pacheco Wy, Stratford Rd, Russ Ln, Ward

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
464 -0121-001-00	$121.00
464 -0121-002-00	$121.00
464 -0121-003-00	$121.00
464 -0121-004-00	$121.00
464 -0121-005-00	$121.00
464 -0121-006-00	$121.00
464 -0121-007-00	$121.00
464 -0121-008-00	$121.00
464 -0121-009-00	$121.00
464 -0121-010-00	$121.00
464 -0121-011-00	$121.00
464 -0121-012-00	$121.00
464 -0121-013-00	$121.00
464 -0121-014-00	$121.00
464 -0121-015-00	$121.00
464 -0121-016-00	$121.00
464 -0121-017-00	$121.00
464 -0121-018-00	$121.00
464 -0121-019-00	$121.00
464 -0121-020-00	$121.00
464 -0121-021-00	$121.00
464 -0121-022-00	$121.00
464 -0121-023-00	$121.00
464 -0121-024-00	$121.00
464 -0121-025-00	$121.00
464 -0121-026-00	$121.00
464 -0121-027-00	$121.00
464 -0121-028-00	$121.00
464 -0121-029-00	$121.00
464 -0121-030-00	$121.00
464 -0121-031-00	$121.00
464 -0121-032-00	$121.00
464 -0121-033-00	$121.00
464 -0121-034-00	$121.00
464 -0121-035-00	$121.00
464 -0121-036-00	$121.00
464 -0121-037-00	$121.00
464 -0121-038-00	$121.00
464 -0121-039-00	$121.00
464 -0121-040-00	$121.00
464 -0121-041-00	$121.00
464 -0121-042-00	$121.00
464 -0121-049-00	$121.00
464 -0121-050-00	$121.00
464 -0121-051-00	$121.00
464 -0121-052-00	$121.00
464 -0121-053-00	$121.00
464 -0121-054-00	$121.00
464 -0121-055-00	$121.00
464 -0121-056-00	$121.00
464 -0121-057-00	$121.00
464 -0121-058-00	$121.00
464 -0121-059-00	$121.00
464 -0121-060-00	$121.00
464 -0121-061-00	$121.00
464 -0121-062-00	$121.00
464 -0121-063-00	$121.00
464 -0121-064-00	$121.00
464 -0121-065-00	$121.00
464 -0121-066-00	$121.00
464 -0121-067-00	$121.00
464 -0121-068-00	$121.00
464 -0121-069-00	$121.00
464 -0121-070-00	$121.00
464 -0121-071-00	$121.00
464 -0121-072-00	$121.00
464 -0121-073-00	$121.00
464 -0121-074-00	$121.00
464 -0121-075-00	$121.00
464 -0121-076-00	$121.00
464 -0121-077-00	$121.00
464 -0121-078-00	$121.00
464 -0121-080-00	$121.00
464 -0121-081-00	$121.00
464 -0121-082-00	$121.00
464 -0121-083-00	$121.00
464 -0121-084-00	$121.00
464 -0121-085-00	$121.00
464 -0121-086-00	$121.00
464 -0121-087-00	$121.00
464 -0121-088-00	$121.00
464 -0121-089-00	$121.00
464 -0121-090-00	$121.00
464 -0121-091-00	$121.00
464 -0121-092-00	$121.00
464 -0121-093-00	$121.00
464 -0121-094-00	$121.00
464 -0121-095-00	$121.00
464 -0121-096-00	$121.00
464 -0122-001-00	$121.00
464 -0122-003-00	$121.00
464 -0122-004-00	$121.00
464 -0122-005-00	$121.00
464 -0122-006-00	$121.00
464 -0122-007-00	$121.00
464 -0122-008-00	$121.00
464 -0122-009-00	$121.00
464 -0122-010-00	$121.00
464 -0122-011-00	$121.00
464 -0122-012-00	$121.00
464 -0122-013-00	$121.00
464 -0122-014-00	$121.00
464 -0122-015-00	$121.00
464 -0122-016-00	$121.00
464 -0122-017-00	$121.00
464 -0122-018-00	$121.00
464 -0122-019-00	$121.00
464 -0122-020-00	$121.00
464 -0122-021-00	$121.00
464 -0122-022-00	$121.00
464 -0122-023-00	$121.00
464 -0122-024-00	$121.00
464 -0122-025-00	$121.00
464 -0122-026-00	$121.00
464 -0122-027-00	$121.00
464 -0122-028-00	$121.00
464 -0122-029-00	$121.00
464 -0122-030-00	$121.00
464 -0122-031-00	$121.00
464 -0122-032-00	$121.00
464 -0122-033-00	$121.00
464 -0122-034-00	$121.00
464 -0122-035-00	$121.00
464 -0122-036-00	$121.00
464 -0122-037-00	$121.00
464 -0122-038-00	$121.00
464 -0122-039-00	$121.00
464 -0122-040-00	$121.00
464 -0122-041-00	$121.00
464 -0122-042-00	$121.00
464 -0122-043-00	$121.00
464 -0122-044-00	$121.00
464 -0122-045-00	$121.00
464 -0122-046-00	$121.00
464 -0122-047-00	$121.00
464 -0122-048-00	$121.00
464 -0122-049-00	$121.00
464 -0122-050-00	$121.00
464 -0122-051-00	$121.00
464 -0122-052-00	$121.00
464 -0122-053-00	$121.00
464 -0122-054-00	$121.00
464 -0122-055-00	$121.00
464 -0122-056-00	$121.00
464 -0122-057-00	$121.00
464 -0122-058-00	$121.00
464 -0122-059-00	$121.00
464 -0122-060-00	$121.00
464 -0122-061-00	$121.00
464 -0122-062-00	$121.00
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464 -0122-064-00	$121.00
464 -0122-065-00	$121.00
464 -0122-066-00	$121.00
464 -0122-067-00	$121.00
464 -0122-068-00	$121.00
464 -0122-069-00	$121.00
464 -0122-070-00	$121.00
464 -0122-071-00	$121.00
464 -0122-072-00	$121.00
464 -0122-073-00	$121.00
464 -0122-074-00	$121.00
464 -0122-075-00	$121.00
464 -0122-076-00	$121.00
464 -0122-077-00	$121.00
464 -0122-078-00	$121.00
464 -0122-079-00	$121.00
464 -0122-080-00	$121.00
464 -0122-081-00	$121.00
464 -0122-082-00	$121.00
464 -0122-083-00	$121.00
464 -0122-084-00	$121.00
464 -0122-085-00	$121.00
464 -0122-086-00	$121.00
464 -0122-087-00	$121.00

Total Parcels: @ 175

Total Assessment: $21,175.00

City of Hayward
Landscaping & Lighting District No. 96-1

Zone 05

Soto Rd. & Plum Tree St.

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
444 -0048-078-00	$139.12
444 -0048-079-00	$139.12
444 -0048-080-00	$139.12
444 -0048-081-00	$139.12
444 -0048-082-00	$139.12
444 -0048-083-00	$139.12
444 -0048-084-00	$139.12
444 -0048-085-00	$139.12
444 -0048-086-00	$139.12
444 -0048-087-00	$139.12
444 -0048-088-00	$139.12
444 -0048-089-00	$139.12
444 -0048-090-00	$139.12
444 -0048-091-00	$139.12
444 -0048-092-00	$139.12
444 -0048-097-00	$139.12
444 -0048-098-00	$139.12
444 -0048-099-00	$139.12
444 -0048-100-00	$139.12
444 -0048-101-00	$139.12
444 -0048-102-00	$139.12
444 -0048-103-00	$139.12
444 -0048-104-00	$139.12
444 -0048-105-00	$139.12
444 -0048-106-00	$139.12
444 -0048-107-00	$139.12
444 -0048-108-00	$139.12
444 -0048-109-00	$139.12
444 -0048-110-00	$139.12
444 -0048-111-00	$139.12
444 -0048-112-00	$139.12
444 -0048-113-00	$139.12
444 -0048-114-00	$139.12
444 -0048-115-00	$139.12
444 -0048-116-00	$139.12
444 -0048-117-00	$139.12
444 -0048-118-00	$139.12
444 -0048-119-00	$139.12
Total Parcels:	@ 38
Total Assessment:	$5,286.56

City of Hayward
Landscaping & Lighting District No. 96-1

Zone 06

Peppertree Pk

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
475 -0174-011-05	$954.44
475 -0174-014-01	$928.70
475 -0174-017-01	$783.58
475 -0174-019-02	$911.20
475 -0174-022-01	$604.58
475 -0174-025-01	$811.18
475 -0174-027-01	$489.46
475 -0174-033-00	$644.48
475 -0174-034-00	$658.58
475 -0174-042-00	$874.70
475 -0174-043-00	$2,327.10
Total Parcels:	@ 11
Total Assessment:	$9,988.00

City of Hayward
Landscaping & Lighting District No. 96-1
Zone 07
Mission Blvd, Industrial Pkwy, Arrowhead

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
078G-2651-016-00	$480.00	078G-2652-050-00	$480.00	078G-2652-102-00	$480.00	078G-2652-154-00	$480.00
078G-2651-018-01	$480.00	078G-2652-051-00	$480.00	078G-2652-103-00	$480.00	078G-2652-155-00	$480.00
078G-2651-018-02	$480.00	078G-2652-052-00	$480.00	078G-2652-104-00	$480.00	078G-2652-156-00	$480.00
078G-2651-019-00	$480.00	078G-2652-053-00	$480.00	078G-2652-105-00	$480.00	078G-2652-157-00	$480.00
078G-2652-002-00	$480.00	078G-2652-054-00	$480.00	078G-2652-106-00	$480.00	078G-2652-158-00	$480.00
078G-2652-003-00	$480.00	078G-2652-055-00	$480.00	078G-2652-107-00	$480.00	078G-2652-159-00	$480.00
078G-2652-004-00	$480.00	078G-2652-056-00	$480.00	078G-2652-108-00	$480.00	078G-2652-160-00	$480.00
078G-2652-005-00	$480.00	078G-2652-057-00	$480.00	078G-2652-109-00	$480.00	078G-2652-161-00	$480.00
078G-2652-006-00	$480.00	078G-2652-058-00	$480.00	078G-2652-110-00	$480.00	078G-2653-001-00	$480.00
078G-2652-007-00	$480.00	078G-2652-059-00	$480.00	078G-2652-111-00	$480.00	078G-2653-002-00	$480.00
078G-2652-008-00	$480.00	078G-2652-060-00	$480.00	078G-2652-112-00	$480.00	078G-2653-003-00	$480.00
078G-2652-009-00	$480.00	078G-2652-061-00	$480.00	078G-2652-113-00	$480.00	078G-2653-004-00	$480.00
078G-2652-010-00	$480.00	078G-2652-062-00	$480.00	078G-2652-114-00	$480.00	078G-2653-005-00	$480.00
078G-2652-011-00	$480.00	078G-2652-063-00	$480.00	078G-2652-115-00	$480.00	078G-2653-006-00	$480.00
078G-2652-012-00	$480.00	078G-2652-064-00	$480.00	078G-2652-116-00	$480.00	078G-2653-007-00	$480.00
078G-2652-013-00	$480.00	078G-2652-065-00	$480.00	078G-2652-117-00	$480.00	078G-2653-008-00	$480.00
078G-2652-014-00	$480.00	078G-2652-066-00	$480.00	078G-2652-118-00	$480.00	078G-2653-009-00	$480.00
078G-2652-015-00	$480.00	078G-2652-067-00	$480.00	078G-2652-119-00	$480.00	078G-2653-010-00	$480.00
078G-2652-016-00	$480.00	078G-2652-068-00	$480.00	078G-2652-120-00	$480.00	078G-2653-011-00	$480.00
078G-2652-017-00	$480.00	078G-2652-069-00	$480.00	078G-2652-121-00	$480.00	078G-2653-012-00	$480.00
078G-2652-018-00	$480.00	078G-2652-070-00	$480.00	078G-2652-122-00	$480.00	078G-2653-013-00	$480.00
078G-2652-019-00	$480.00	078G-2652-071-00	$480.00	078G-2652-123-00	$480.00	078G-2653-014-00	$480.00
078G-2652-020-00	$480.00	078G-2652-072-00	$480.00	078G-2652-124-00	$480.00	078G-2653-015-00	$480.00
078G-2652-021-00	$480.00	078G-2652-073-00	$480.00	078G-2652-125-00	$480.00	078G-2653-016-00	$480.00
078G-2652-022-00	$480.00	078G-2652-074-00	$480.00	078G-2652-126-00	$480.00	078G-2653-017-00	$480.00
078G-2652-023-00	$480.00	078G-2652-075-00	$480.00	078G-2652-127-00	$480.00	078G-2653-018-00	$480.00
078G-2652-024-00	$480.00	078G-2652-076-00	$480.00	078G-2652-128-00	$480.00	078G-2653-019-00	$480.00
078G-2652-025-00	$480.00	078G-2652-077-00	$480.00	078G-2652-129-00	$480.00	078G-2653-020-00	$480.00
078G-2652-026-00	$480.00	078G-2652-078-00	$480.00	078G-2652-130-00	$480.00	078G-2653-021-00	$480.00
078G-2652-027-00	$480.00	078G-2652-079-00	$480.00	078G-2652-131-00	$480.00	078G-2653-022-00	$480.00
078G-2652-028-00	$480.00	078G-2652-080-00	$480.00	078G-2652-132-00	$480.00	078G-2653-023-00	$480.00
078G-2652-029-00	$480.00	078G-2652-081-00	$480.00	078G-2652-133-00	$480.00	078G-2653-024-00	$480.00
078G-2652-030-00	$480.00	078G-2652-082-00	$480.00	078G-2652-134-00	$480.00	078G-2653-025-00	$480.00
078G-2652-031-00	$480.00	078G-2652-083-00	$480.00	078G-2652-135-00	$480.00	078G-2653-026-00	$480.00
078G-2652-032-00	$480.00	078G-2652-084-00	$480.00	078G-2652-136-00	$480.00	078G-2653-027-00	$480.00
078G-2652-033-00	$480.00	078G-2652-085-00	$480.00	078G-2652-137-00	$480.00	078G-2653-028-00	$480.00
078G-2652-034-00	$480.00	078G-2652-086-00	$480.00	078G-2652-138-00	$480.00	078G-2653-029-00	$480.00
078G-2652-035-00	$480.00	078G-2652-087-00	$480.00	078G-2652-139-00	$480.00	078G-2653-030-00	$480.00
078G-2652-036-00	$480.00	078G-2652-088-00	$480.00	078G-2652-140-00	$480.00	078G-2653-031-00	$480.00
078G-2652-037-00	$480.00	078G-2652-089-00	$480.00	078G-2652-141-00	$480.00	078G-2653-032-00	$480.00
078G-2652-038-00	$480.00	078G-2652-090-00	$480.00	078G-2652-142-00	$480.00	078G-2653-033-00	$480.00
078G-2652-039-00	$480.00	078G-2652-091-00	$480.00	078G-2652-143-00	$480.00	078G-2653-034-00	$480.00
078G-2652-040-00	$480.00	078G-2652-092-00	$480.00	078G-2652-144-00	$480.00	078G-2653-035-00	$480.00
078G-2652-041-00	$480.00	078G-2652-093-00	$480.00	078G-2652-145-00	$480.00	078G-2653-036-00	$480.00
078G-2652-042-00	$480.00	078G-2652-094-00	$480.00	078G-2652-146-00	$480.00	078G-2653-037-00	$480.00
078G-2652-043-00	$480.00	078G-2652-095-00	$480.00	078G-2652-147-00	$480.00	078G-2653-038-00	$480.00
078G-2652-044-00	$480.00	078G-2652-096-00	$480.00	078G-2652-148-00	$480.00	078G-2653-039-00	$480.00
078G-2652-045-00	$480.00	078G-2652-097-00	$480.00	078G-2652-149-00	$480.00	078G-2653-040-00	$480.00
078G-2652-046-00	$480.00	078G-2652-098-00	$480.00	078G-2652-150-00	$480.00	078G-2653-041-00	$480.00
078G-2652-047-00	$480.00	078G-2652-099-00	$480.00	078G-2652-151-00	$480.00	078G-2653-042-00	$480.00
078G-2652-048-00	$480.00	078G-2652-100-00	$480.00	078G-2652-152-00	$480.00	078G-2653-043-00	$480.00
078G-2652-049-00	$480.00	078G-2652-101-00	$480.00	078G-2652-153-00	$480.00	078G-2653-044-00	$480.00

City of Hayward
Landscaping & Lighting District No. 96-1
Zone 07
Mission Blvd, Industrial Pkwy, Arrowhead

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
078G-2653-045-00	$480.00
078G-2653-046-00	$480.00
078G-2653-047-00	$480.00
078G-2653-048-00	$480.00
078G-2653-049-00	$480.00
078G-2653-050-00	$480.00
078G-2653-051-00	$480.00
078G-2653-052-00	$480.00
078G-2653-053-00	$480.00
078G-2653-054-00	$480.00
078G-2653-055-00	$480.00
078G-2653-056-00	$480.00
078G-2653-057-00	$480.00
078G-2653-058-00	$480.00
078G-2653-059-00	$480.00
078G-2653-060-00	$480.00
078G-2653-061-00	$480.00
078G-2653-062-00	$480.00
078G-2653-063-00	$480.00
078G-2653-064-00	$480.00
078G-2653-065-00	$480.00
078G-2653-066-00	$480.00
078G-2653-067-00	$480.00
078G-2653-068-00	$480.00
078G-2653-069-00	$480.00
078G-2653-070-00	$480.00
078G-2653-071-00	$480.00
078G-2653-072-00	$480.00
078G-2653-073-00	$480.00
078G-2653-074-00	$480.00
078G-2653-075-00	$480.00
078G-2653-076-00	$480.00
078G-2653-077-00	$480.00
078G-2653-078-00	$480.00
078G-2653-079-00	$480.00
078G-2653-080-00	$480.00
078G-2653-081-00	$480.00
078G-2653-082-00	$480.00
078G-2653-083-00	$480.00
078G-2653-084-00	$480.00
078G-2653-085-00	$480.00
078G-2653-086-00	$480.00
078G-2653-087-00	$480.00
078G-2654-001-00	$480.00
078G-2654-002-00	$480.00
078G-2654-003-00	$480.00
078G-2654-004-00	$480.00
078G-2654-005-00	$480.00
078G-2654-006-00	$480.00
078G-2654-007-00	$480.00
078G-2654-008-00	$480.00
078G-2654-009-00	$480.00

Assessor's Parcel Number	Assessment Amount
078G-2654-010-00	$480.00
078G-2654-011-00	$480.00
078G-2654-012-00	$480.00
078G-2654-013-00	$480.00
078G-2654-014-00	$480.00
078G-2654-015-00	$480.00
078G-2654-016-00	$480.00
078G-2654-017-00	$480.00
078G-2654-018-00	$480.00
078G-2654-019-00	$480.00
078G-2654-020-00	$480.00
078G-2654-021-00	$480.00
078G-2654-022-00	$480.00
078G-2654-023-00	$480.00
078G-2654-024-00	$480.00
078G-2654-025-00	$480.00
078G-2654-026-00	$480.00
078G-2654-027-00	$480.00
078G-2654-028-00	$480.00
078G-2654-029-00	$480.00
078G-2654-030-00	$480.00
078G-2654-031-00	$480.00
078G-2654-032-00	$480.00
078G-2654-033-00	$480.00
078G-2654-034-00	$480.00
078G-2654-035-00	$480.00
078G-2654-036-00	$480.00
078G-2654-037-00	$480.00
078G-2654-038-00	$480.00
078G-2654-039-00	$480.00
078G-2654-040-00	$480.00
078G-2654-041-00	$480.00
078G-2654-042-00	$480.00
078G-2654-043-00	$480.00
078G-2654-044-00	$480.00
078G-2654-045-00	$480.00
078G-2654-046-00	$480.00
078G-2654-047-00	$480.00
078G-2654-048-00	$480.00
078G-2654-049-00	$480.00
078G-2654-050-00	$480.00
078G-2654-051-00	$480.00
078G-2654-052-00	$480.00
078G-2654-053-00	$480.00
078G-2654-054-00	$480.00
078G-2654-055-00	$480.00
078G-2654-056-00	$480.00
078G-2654-057-00	$480.00
078G-2654-058-00	$480.00
078G-2654-059-00	$480.00
078G-2654-060-00	$480.00
078G-2654-061-00	$480.00

Assessor's Parcel Number	Assessment Amount
078G-2654-062-00	$480.00
078G-2654-063-00	$480.00
078G-2654-064-00	$480.00
078G-2654-065-00	$480.00
078G-2654-066-00	$480.00
078G-2654-067-00	$480.00
078G-2654-068-00	$480.00
078G-2654-069-00	$480.00
078G-2654-070-00	$480.00
078G-2654-071-00	$480.00
078G-2654-072-00	$480.00
078G-2654-073-00	$480.00
078G-2654-074-00	$480.00
078G-2654-075-00	$480.00
078G-2654-076-00	$480.00
078G-2654-077-00	$480.00
078G-2654-078-00	$480.00
078G-2654-079-00	$480.00
078G-2654-080-00	$480.00
078G-2654-081-00	$480.00
078G-2654-082-00	$480.00
078G-2654-083-00	$480.00
078G-2654-084-00	$480.00
078G-2654-085-00	$480.00
078G-2654-086-00	$480.00
078G-2654-087-00	$480.00
078G-2654-088-00	$480.00
078G-2654-089-00	$480.00
078G-2654-090-00	$480.00
078G-2654-091-00	$480.00
078G-2654-092-00	$480.00
078G-2654-093-00	$480.00
078G-2654-094-03	$480.00
078G-2654-095-03	$480.00
078G-2654-096-00	$480.00
078G-2651-017-02	$480.00

Total Parcels: **@ 348**

Total Assessment: **$167,040.00**

City of Hayward
Landscaping & Lighting District No. 96-1

Zone 08

Capitola St.

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
456 -0096-002-00	$350.00
456 -0096-003-00	$350.00
456 -0096-004-00	$350.00
456 -0096-005-00	$350.00
456 -0096-006-00	$350.00
456 -0096-007-00	$350.00
456 -0096-008-00	$350.00
456 -0096-009-00	$350.00
456 -0096-010-00	$350.00
456 -0096-011-00	$350.00
456 -0096-012-00	$350.00
456 -0096-013-00	$350.00
456 -0096-014-00	$350.00
456 -0096-015-00	$350.00
456 -0096-016-00	$350.00
456 -0096-017-00	$350.00
456 -0096-018-00	$350.00
456 -0096-019-00	$350.00
456 -0096-020-00	$350.00
456 -0096-021-00	$350.00
456 -0096-022-00	$350.00
456 -0096-023-00	$350.00
456 -0096-024-00	$350.00
456 -0096-025-00	$350.00
Total Parcels:	@ 24
Total Assessment:	$8,400.00

City of Hayward
Landscaping & Lighting District No. 96-1
Zone 09
Orchard Avenue

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
444 -0049-001-00	$25.00
444 -0049-002-00	$25.00
444 -0049-003-00	$25.00
444 -0049-004-00	$25.00
444 -0049-005-00	$25.00
444 -0049-006-00	$25.00
444 -0049-007-00	$25.00
444 -0049-008-00	$25.00
444 -0049-009-00	$25.00
444 -0049-010-00	$25.00
444 -0049-011-00	$25.00
444 -0049-012-00	$25.00
444 -0049-013-00	$25.00
444 -0049-014-00	$25.00
444 -0049-015-00	$25.00
444 -0049-016-00	$25.00
444 -0049-017-00	$25.00
444 -0049-018-00	$25.00
444 -0049-019-00	$25.00
444 -0049-020-00	$25.00
444 -0049-021-00	$25.00
444 -0049-022-00	$25.00
444 -0049-023-00	$25.00
444 -0049-024-00	$25.00
444 -0049-025-00	$25.00
444 -0049-026-00	$25.00
444 -0049-027-00	$25.00
444 -0049-028-00	$25.00
444 -0049-029-00	$25.00
444 -0049-030-00	$25.00
444 -0049-031-00	$25.00
444 -0049-032-00	$25.00
444 -0049-033-00	$25.00
444 -0049-034-00	$25.00
444 -0049-035-00	$25.00
444 -0049-036-00	$25.00
444 -0049-037-00	$25.00
444 -0049-038-00	$25.00
444 -0049-039-00	$25.00
444 -0049-040-00	$25.00
444 -0049-041-00	$25.00
444 -0049-042-00	$25.00
444 -0049-043-00	$25.00
444 -0049-044-00	$25.00
444 -0049-045-00	$25.00
444 -0049-046-00	$25.00
444 -0049-047-00	$25.00
444 -0049-048-00	$25.00
444 -0049-049-00	$25.00
444 -0049-050-00	$25.00
444 -0049-051-00	$25.00
444 -0049-052-00	$25.00
444 -0049-053-00	$25.00
444 -0049-054-00	$25.00
444 -0049-055-00	$25.00
444 -0049-056-00	$25.00
444 -0049-057-00	$25.00
444 -0049-058-00	$25.00
444 -0049-059-00	$25.00
444 -0049-060-00	$25.00
444 -0049-061-00	$25.00
444 -0049-062-00	$25.00
444 -0049-063-00	$25.00
444 -0049-064-00	$25.00
444 -0049-065-00	$25.00
444 -0049-066-00	$25.00
444 -0049-067-00	$25.00
444 -0049-068-00	$25.00
444 -0049-069-00	$25.00
444 -0049-070-00	$25.00
444 -0049-071-00	$25.00
444 -0049-072-00	$25.00
444 -0049-073-00	$25.00
444 -0049-074-00	$25.00
Total Parcels:	**@ 74**
Total Assessment:	**$1,850.00**

City of Hayward
Landscaping & Lighting District No. 96-1
Zone 10
Eden Shores

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
461 -0037-002-00	$300.00	461 -0037-054-00	$300.00	461 -0037-106-00	$300.00	461 -0100-050-00	$300.00
461 -0037-003-00	$300.00	461 -0037-055-00	$300.00	461 -0037-107-00	$300.00	461 -0100-051-00	$300.00
461 -0037-004-00	$300.00	461 -0037-056-00	$300.00	461 -0037-108-00	$300.00	461 -0100-052-00	$300.00
461 -0037-005-00	$300.00	461 -0037-057-00	$300.00	461 -0037-109-00	$300.00	461 -0100-053-00	$300.00
461 -0037-006-00	$300.00	461 -0037-058-00	$300.00	461 -0037-110-00	$300.00	461 -0100-054-00	$300.00
461 -0037-007-00	$300.00	461 -0037-059-00	$300.00	461 -0100-003-00	$300.00	461 -0100-055-00	$300.00
461 -0037-008-00	$300.00	461 -0037-060-00	$300.00	461 -0100-004-00	$300.00	461 -0100-056-00	$300.00
461 -0037-009-00	$300.00	461 -0037-061-00	$300.00	461 -0100-005-00	$300.00	461 -0100-057-00	$300.00
461 -0037-010-00	$300.00	461 -0037-062-00	$300.00	461 -0100-006-00	$300.00	461 -0100-058-00	$300.00
461 -0037-011-00	$300.00	461 -0037-063-00	$300.00	461 -0100-007-00	$300.00	461 -0100-059-00	$300.00
461 -0037-012-00	$300.00	461 -0037-064-00	$300.00	461 -0100-008-00	$300.00	461 -0100-060-00	$300.00
461 -0037-013-00	$300.00	461 -0037-065-00	$300.00	461 -0100-009-00	$300.00	461 -0100-061-00	$300.00
461 -0037-014-00	$300.00	461 -0037-066-00	$300.00	461 -0100-010-00	$300.00	461 -0100-062-00	$300.00
461 -0037-015-00	$300.00	461 -0037-067-00	$300.00	461 -0100-011-00	$300.00	461 -0100-063-00	$300.00
461 -0037-016-00	$300.00	461 -0037-068-00	$300.00	461 -0100-012-00	$300.00	461 -0100-064-00	$300.00
461 -0037-017-00	$300.00	461 -0037-069-00	$300.00	461 -0100-013-00	$300.00	461 -0100-065-00	$300.00
461 -0037-018-00	$300.00	461 -0037-070-00	$300.00	461 -0100-014-00	$300.00	461 -0100-066-00	$300.00
461 -0037-019-00	$300.00	461 -0037-071-00	$300.00	461 -0100-015-00	$300.00	461 -0100-067-00	$300.00
461 -0037-020-00	$300.00	461 -0037-072-00	$300.00	461 -0100-016-00	$300.00	461 -0100-068-00	$300.00
461 -0037-021-00	$300.00	461 -0037-073-00	$300.00	461 -0100-017-00	$300.00	461 -0100-069-00	$300.00
461 -0037-022-00	$300.00	461 -0037-074-00	$300.00	461 -0100-018-00	$300.00	461 -0100-070-00	$300.00
461 -0037-023-00	$300.00	461 -0037-075-00	$300.00	461 -0100-019-00	$300.00	461 -0100-071-00	$300.00
461 -0037-024-00	$300.00	461 -0037-076-00	$300.00	461 -0100-020-00	$300.00	461 -0100-072-00	$300.00
461 -0037-025-00	$300.00	461 -0037-077-00	$300.00	461 -0100-021-00	$300.00	461 -0100-073-00	$300.00
461 -0037-026-00	$300.00	461 -0037-078-00	$300.00	461 -0100-022-00	$300.00	461 -0100-074-00	$300.00
461 -0037-027-00	$300.00	461 -0037-079-00	$300.00	461 -0100-023-00	$300.00	461 -0100-075-00	$300.00
461 -0037-028-00	$300.00	461 -0037-080-00	$300.00	461 -0100-024-00	$300.00	461 -0100-076-00	$300.00
461 -0037-029-00	$300.00	461 -0037-081-00	$300.00	461 -0100-025-00	$300.00	461 -0100-077-00	$300.00
461 -0037-030-00	$300.00	461 -0037-082-00	$300.00	461 -0100-026-00	$300.00	461 -0100-078-00	$300.00
461 -0037-031-00	$300.00	461 -0037-083-00	$300.00	461 -0100-027-00	$300.00	461 -0100-079-00	$300.00
461 -0037-032-00	$300.00	461 -0037-084-00	$300.00	461 -0100-028-00	$300.00	461 -0100-080-00	$300.00
461 -0037-033-00	$300.00	461 -0037-085-00	$300.00	461 -0100-029-00	$300.00	461 -0100-081-00	$300.00
461 -0037-034-00	$300.00	461 -0037-086-00	$300.00	461 -0100-030-00	$300.00	461 -0100-082-00	$300.00
461 -0037-035-00	$300.00	461 -0037-087-00	$300.00	461 -0100-031-00	$300.00	461 -0100-083-00	$300.00
461 -0037-036-00	$300.00	461 -0037-088-00	$300.00	461 -0100-032-00	$300.00	461 -0100-084-00	$300.00
461 -0037-037-00	$300.00	461 -0037-089-00	$300.00	461 -0100-033-00	$300.00	461 -0100-085-00	$300.00
461 -0037-038-00	$300.00	461 -0037-090-00	$300.00	461 -0100-034-00	$300.00	461 -0100-086-00	$300.00
461 -0037-039-00	$300.00	461 -0037-091-00	$300.00	461 -0100-035-00	$300.00	461 -0100-087-00	$300.00
461 -0037-040-00	$300.00	461 -0037-092-00	$300.00	461 -0100-036-00	$300.00	461 -0100-088-00	$300.00
461 -0037-041-00	$300.00	461 -0037-093-00	$300.00	461 -0100-037-00	$300.00	461 -0100-089-00	$300.00
461 -0037-042-00	$300.00	461 -0037-094-00	$300.00	461 -0100-038-00	$300.00	461 -0100-090-00	$300.00
461 -0037-043-00	$300.00	461 -0037-095-00	$300.00	461 -0100-039-00	$300.00	461 -0100-091-00	$300.00
461 -0037-044-00	$300.00	461 -0037-096-00	$300.00	461 -0100-040-00	$300.00	461 -0100-092-00	$300.00
461 -0037-045-00	$300.00	461 -0037-097-00	$300.00	461 -0100-041-00	$300.00	461 -0100-093-00	$300.00
461 -0037-046-00	$300.00	461 -0037-098-00	$300.00	461 -0100-042-00	$300.00	461 -0100-094-00	$300.00
461 -0037-047-00	$300.00	461 -0037-099-00	$300.00	461 -0100-043-00	$300.00	461 -0100-095-00	$300.00
461 -0037-048-00	$300.00	461 -0037-100-00	$300.00	461 -0100-044-00	$300.00	461 -0100-096-00	$300.00
461 -0037-049-00	$300.00	461 -0037-101-00	$300.00	461 -0100-045-00	$300.00	461 -0100-097-00	$300.00
461 -0037-050-00	$300.00	461 -0037-102-00	$300.00	461 -0100-046-00	$300.00	461 -0100-098-00	$300.00
461 -0037-051-00	$300.00	461 -0037-103-00	$300.00	461 -0100-047-00	$300.00	461 -0100-099-00	$300.00
461 -0037-052-00	$300.00	461 -0037-104-00	$300.00	461 -0100-048-00	$300.00	461 -0100-100-00	$300.00
461 -0037-053-00	$300.00	461 -0037-105-00	$300.00	461 -0100-049-00	$300.00	461 -0100-101-00	$300.00

City of Hayward
Landscaping & Lighting District No. 96-1

Zone 10

Eden Shores

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
461 -0100-102-00	$300.00
461 -0100-103-00	$300.00
461 -0100-104-00	$300.00
461 -0100-105-00	$300.00
461 -0100-106-00	$300.00
461 -0100-107-00	$300.00
461 -0100-108-00	$300.00
461 -0100-109-00	$300.00
461 -0100-110-00	$300.00
461 -0100-111-00	$300.00
461 -0100-112-00	$300.00
461 -0100-113-00	$300.00
461 -0100-114-00	$300.00
461 -0100-115-00	$300.00
461 -0100-116-00	$300.00
461 -0100-117-00	$300.00
461 -0100-118-00	$300.00
461 -0101-005-00	$300.00
461 -0101-006-00	$300.00
461 -0101-007-00	$300.00
461 -0101-008-00	$300.00
461 -0101-009-00	$300.00
461 -0101-010-00	$300.00
461 -0101-011-00	$300.00
461 -0101-012-00	$300.00
461 -0101-013-00	$300.00
461 -0101-014-00	$300.00
461 -0101-015-00	$300.00
461 -0101-016-00	$300.00
461 -0101-017-00	$300.00
461 -0101-018-00	$300.00
461 -0101-019-00	$300.00
461 -0101-020-00	$300.00
461 -0101-021-00	$300.00
461 -0101-022-00	$300.00
461 -0101-023-00	$300.00
461 -0101-024-00	$300.00
461 -0101-025-00	$300.00
461 -0101-026-00	$300.00
461 -0101-027-00	$300.00
461 -0101-028-00	$300.00
461 -0101-029-00	$300.00
461 -0101-030-00	$300.00
461 -0101-031-00	$300.00
461 -0101-032-00	$300.00
461 -0101-033-00	$300.00
461 -0101-034-00	$300.00
461 -0101-035-00	$300.00
461 -0101-036-00	$300.00
461 -0101-037-00	$300.00
461 -0101-038-00	$300.00
461 -0101-039-00	$300.00

Assessor's Parcel Number	Assessment Amount
461 -0101-040-00	$300.00
461 -0101-041-00	$300.00
461 -0101-042-00	$300.00
461 -0101-043-00	$300.00
461 -0101-044-00	$300.00
461 -0101-045-00	$300.00
461 -0101-046-00	$300.00
461 -0101-047-00	$300.00
461 -0101-048-00	$300.00
461 -0101-049-00	$300.00
461 -0101-050-00	$300.00
461 -0101-051-00	$300.00
461 -0101-052-00	$300.00
461 -0101-053-00	$300.00
461 -0101-054-00	$300.00
461 -0101-055-00	$300.00
461 -0101-056-00	$300.00
461 -0101-057-00	$300.00
461 -0101-058-00	$300.00
461 -0101-059-00	$300.00
461 -0101-060-00	$300.00
461 -0101-061-00	$300.00
461 -0101-062-00	$300.00
461 -0101-063-00	$300.00
461 -0101-064-00	$300.00
461 -0101-065-00	$300.00
461 -0101-066-00	$300.00
461 -0101-067-00	$300.00
461 -0101-068-00	$300.00
461 -0101-069-00	$300.00
461 -0101-070-00	$300.00
461 -0101-071-00	$300.00
461 -0101-072-00	$300.00
461 -0101-073-00	$300.00
461 -0101-074-00	$300.00
461 -0101-075-00	$300.00
461 -0101-076-00	$300.00
461 -0101-077-00	$300.00
461 -0101-078-00	$300.00
461 -0101-079-00	$300.00
461 -0101-080-00	$300.00
461 -0101-081-00	$300.00
461 -0101-082-00	$300.00
461 -0101-083-00	$300.00
461 -0101-084-00	$300.00
461 -0101-085-00	$300.00
461 -0101-086-00	$300.00
461 -0101-087-00	$300.00
461 -0101-088-00	$300.00
461 -0101-089-00	$300.00
461 -0101-090-00	$300.00
461 -0101-091-00	$300.00

Assessor's Parcel Number	Assessment Amount
461 -0101-092-00	$300.00
461 -0101-093-00	$300.00
461 -0101-094-00	$300.00
461 -0101-095-00	$300.00
461 -0101-096-00	$300.00
461 -0101-097-00	$300.00
461 -0101-098-00	$300.00
461 -0101-099-00	$300.00
461 -0101-100-00	$300.00
461 -0101-101-00	$300.00
461 -0101-102-00	$300.00
461 -0101-103-00	$300.00
461 -0101-104-00	$300.00
461 -0101-105-00	$300.00
461 -0101-106-00	$300.00
461 -0101-107-00	$300.00
461 -0101-108-00	$300.00
461 -0101-109-00	$300.00
461 -0101-110-00	$300.00
461 -0101-111-00	$300.00
461 -0101-112-00	$300.00
461 -0101-113-00	$300.00
461 -0101-114-00	$300.00
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461 -0101-117-00	$300.00
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461 -0101-119-00	$300.00
461 -0101-120-00	$300.00
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461 -0101-133-00	$300.00
461 -0101-134-00	$300.00
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461 -0101-139-00	$300.00
461 -0101-140-00	$300.00
461 -0101-141-00	$300.00
461 -0101-142-00	$300.00
461 -0101-143-00	$300.00

Assessor's Parcel Number	Assessment Amount
461 -0101-144-00	$300.00
461 -0101-145-00	$300.00
461 -0101-146-00	$300.00
461 -0101-147-00	$300.00
461 -0101-148-00	$300.00
461 -0101-149-00	$300.00
461 -0101-150-00	$300.00
461 -0101-151-00	$300.00
461 -0101-152-00	$300.00
461 -0101-153-00	$300.00
461 -0101-154-00	$300.00
461 -0101-155-00	$300.00
461 -0101-156-00	$300.00
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461 -0101-158-00	$300.00
461 -0101-159-00	$300.00
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461 -0101-162-00	$300.00
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461 -0101-169-00	$300.00
461 -0101-170-00	$300.00
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461 -0102-003-00	$300.00
461 -0102-004-00	$300.00
461 -0102-005-00	$300.00
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461 -0102-009-00	$300.00
461 -0102-010-00	$300.00
461 -0102-011-00	$300.00
461 -0102-012-00	$300.00
461 -0102-013-00	$300.00
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461 -0102-015-00	$300.00
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461 -0102-017-00	$300.00
461 -0102-018-00	$300.00
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461 -0102-020-00	$300.00
461 -0102-021-00	$300.00
461 -0102-022-00	$300.00
461 -0102-023-00	$300.00
461 -0102-024-00	$300.00
461 -0102-025-00	$300.00

City of Hayward
Landscaping & Lighting District No. 96-1
Zone 10
Eden Shores

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
461 -0102-026-00	$300.00
461 -0102-027-00	$300.00
461 -0102-028-00	$300.00
461 -0102-029-00	$300.00
461 -0102-030-00	$300.00
461 -0102-031-00	$300.00
461 -0102-032-00	$300.00
461 -0102-033-00	$300.00
461 -0102-034-00	$300.00
461 -0102-035-00	$300.00
461 -0102-036-00	$300.00
461 -0102-037-00	$300.00
461 -0102-038-00	$300.00
461 -0102-039-00	$300.00
461 -0102-040-00	$300.00
461 -0102-041-00	$300.00
461 -0102-042-00	$300.00
461 -0102-043-00	$300.00
461 -0102-044-00	$300.00
461 -0102-045-00	$300.00
461 -0102-046-00	$300.00
461 -0102-047-00	$300.00
461 -0102-048-00	$300.00
461 -0102-049-00	$300.00
461 -0102-050-00	$300.00
461 -0102-051-00	$300.00
461 -0102-052-00	$300.00
461 -0102-053-00	$300.00
461 -0102-054-00	$300.00
461 -0102-055-00	$300.00
461 -0102-056-00	$300.00
461 -0102-057-00	$300.00
461 -0102-058-00	$300.00
461 -0102-059-00	$300.00
461 -0102-060-00	$300.00
461 -0102-061-00	$300.00
461 -0102-062-00	$300.00
461 -0102-063-00	$300.00
461 -0102-064-00	$300.00
461 -0102-065-00	$300.00
461 -0103-004-00	$300.00
461 -0103-005-00	$300.00
461 -0103-006-00	$300.00
461 -0103-007-00	$300.00
461 -0103-008-00	$300.00
461 -0103-009-00	$300.00
461 -0103-010-00	$300.00
461 -0103-011-00	$300.00
461 -0103-012-00	$300.00
461 -0103-013-00	$300.00
461 -0103-014-00	$300.00
461 -0103-015-00	$300.00

Assessor's Parcel Number	Assessment Amount
461 -0103-016-00	$300.00
461 -0103-017-00	$300.00
461 -0103-018-00	$300.00
461 -0103-019-00	$300.00
461 -0103-020-00	$300.00
461 -0103-021-00	$300.00
461 -0103-022-00	$300.00
461 -0103-023-00	$300.00
461 -0103-024-00	$300.00
461 -0103-025-00	$300.00
461 -0103-026-00	$300.00
461 -0103-027-00	$300.00
461 -0103-028-00	$300.00
461 -0103-029-00	$300.00
461 -0103-030-00	$300.00
461 -0103-031-00	$300.00
461 -0103-032-00	$300.00
461 -0103-033-00	$300.00
461 -0103-034-00	$300.00
461 -0103-035-00	$300.00
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461 -0103-037-00	$300.00
461 -0103-038-00	$300.00
461 -0103-039-00	$300.00
461 -0103-040-00	$300.00
461 -0103-041-00	$300.00
461 -0103-042-00	$300.00
461 -0103-043-00	$300.00
461 -0103-044-00	$300.00
461 -0103-045-00	$300.00
461 -0103-046-00	$300.00
461 -0103-047-00	$300.00
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461 -0103-051-00	$300.00
461 -0103-052-00	$300.00
461 -0103-053-00	$300.00
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461 -0103-058-00	$300.00
461 -0103-059-00	$300.00
461 -0103-060-00	$300.00
461 -0103-061-00	$300.00
461 -0103-062-00	$300.00
461 -0103-063-00	$300.00
461 -0103-064-00	$300.00
461 -0103-065-00	$300.00
461 -0103-066-00	$300.00
461 -0103-067-00	$300.00

Assessor's Parcel Number	Assessment Amount
461 -0103-068-00	$300.00
461 -0103-069-00	$300.00
461 -0103-070-00	$300.00
461 -0103-071-00	$300.00
461 -0103-072-00	$300.00
461 -0103-073-00	$300.00
461 -0103-074-00	$300.00
461 -0103-075-00	$300.00
461 -0103-076-00	$300.00
461 -0103-077-00	$300.00
461 -0103-078-00	$300.00
461 -0103-079-00	$300.00
461 -0103-080-00	$300.00
461 -0103-081-00	$300.00
Total Parcels:	**@ 534**
Total Assessment:	**$160,200.00**

City of Hayward
Landscaping & Lighting District No. 96-1
Zone 11
Stonebrae LLAD

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
085A-6430-005-00	$344.92	085A-6430-057-00	$344.92	085A-6430-109-00	$344.92	085A-6431-048-00	$344.92
085A-6430-006-00	$344.92	085A-6430-058-00	$344.92	085A-6430-110-00	$344.92	085A-6431-049-00	$344.92
085A-6430-007-00	$344.92	085A-6430-059-00	$344.92	085A-6430-111-00	$344.92	085A-6431-050-00	$344.92
085A-6430-008-00	$344.92	085A-6430-060-00	$344.92	085A-6430-112-00	$344.92	085A-6431-051-00	$344.92
085A-6430-009-00	$344.92	085A-6430-061-00	$344.92	085A-6430-113-00	$344.92	085A-6431-052-00	$344.92
085A-6430-010-00	$344.92	085A-6430-062-00	$344.92	085A-6430-114-00	$344.92	085A-6431-053-00	$344.92
085A-6430-011-00	$344.92	085A-6430-063-00	$344.92	085A-6430-115-00	$344.92	085A-6431-054-00	$344.92
085A-6430-012-00	$344.92	085A-6430-064-00	$344.92	085A-6430-116-00	$344.92	085A-6431-055-00	$344.92
085A-6430-013-00	$344.92	085A-6430-065-00	$344.92	085A-6431-004-00	$344.92	085A-6431-056-00	$344.92
085A-6430-014-00	$344.92	085A-6430-066-00	$344.92	085A-6431-005-00	$344.92	085A-6431-057-00	$344.92
085A-6430-015-00	$344.92	085A-6430-067-00	$344.92	085A-6431-006-00	$344.92	085A-6431-058-00	$344.92
085A-6430-016-00	$344.92	085A-6430-068-00	$344.92	085A-6431-007-00	$344.92	085A-6431-059-00	$344.92
085A-6430-017-00	$344.92	085A-6430-069-00	$344.92	085A-6431-008-00	$344.92	085A-6431-060-00	$344.92
085A-6430-018-00	$344.92	085A-6430-070-00	$344.92	085A-6431-009-00	$344.92	085A-6431-061-00	$344.92
085A-6430-019-00	$344.92	085A-6430-071-00	$344.92	085A-6431-010-00	$344.92	085A-6431-062-00	$344.92
085A-6430-020-00	$344.92	085A-6430-072-00	$344.92	085A-6431-011-00	$344.92	085A-6431-063-00	$344.92
085A-6430-021-00	$344.92	085A-6430-073-00	$344.92	085A-6431-012-00	$344.92	085A-6431-064-00	$344.92
085A-6430-022-00	$344.92	085A-6430-074-00	$344.92	085A-6431-013-00	$344.92	085A-6431-065-00	$344.92
085A-6430-023-00	$344.92	085A-6430-075-00	$344.92	085A-6431-014-00	$344.92	085A-6431-066-00	$344.92
085A-6430-024-00	$344.92	085A-6430-076-00	$344.92	085A-6431-015-00	$344.92	085A-6431-067-00	$344.92
085A-6430-025-00	$344.92	085A-6430-077-00	$344.92	085A-6431-016-00	$344.92	085A-6431-068-00	$344.92
085A-6430-026-00	$344.92	085A-6430-078-00	$344.92	085A-6431-017-00	$344.92	085A-6431-069-00	$344.92
085A-6430-027-00	$344.92	085A-6430-079-00	$344.92	085A-6431-018-00	$344.92	085A-6431-070-00	$344.92
085A-6430-028-00	$344.92	085A-6430-080-00	$344.92	085A-6431-019-00	$344.92	085A-6431-071-00	$344.92
085A-6430-029-00	$344.92	085A-6430-081-00	$344.92	085A-6431-020-00	$344.92	085A-6431-072-00	$344.92
085A-6430-030-00	$344.92	085A-6430-082-00	$344.92	085A-6431-021-00	$344.92	085A-6431-073-00	$344.92
085A-6430-031-00	$344.92	085A-6430-083-00	$344.92	085A-6431-022-00	$344.92	085A-6431-074-00	$344.92
085A-6430-032-00	$344.92	085A-6430-084-00	$344.92	085A-6431-023-00	$344.92	085A-6431-075-00	$344.92
085A-6430-033-00	$344.92	085A-6430-085-00	$344.92	085A-6431-024-00	$344.92	085A-6431-076-00	$344.92
085A-6430-034-00	$344.92	085A-6430-086-00	$344.92	085A-6431-025-00	$344.92	085A-6431-077-00	$344.92
085A-6430-035-00	$344.92	085A-6430-087-00	$344.92	085A-6431-026-00	$344.92	085A-6431-078-00	$344.92
085A-6430-036-00	$344.92	085A-6430-088-00	$344.92	085A-6431-027-00	$344.92	085A-6431-079-00	$344.92
085A-6430-037-00	$344.92	085A-6430-089-00	$344.92	085A-6431-028-00	$344.92	085A-6431-080-00	$344.92
085A-6430-038-00	$344.92	085A-6430-090-00	$344.92	085A-6431-029-00	$344.92	085A-6431-081-00	$344.92
085A-6430-039-00	$344.92	085A-6430-091-00	$344.92	085A-6431-030-00	$344.92	085A-6431-082-00	$344.92
085A-6430-040-00	$344.92	085A-6430-092-00	$344.92	085A-6431-031-00	$344.92	085A-6431-083-00	$344.92
085A-6430-041-00	$344.92	085A-6430-093-00	$344.92	085A-6431-032-00	$344.92	085A-6431-084-00	$344.92
085A-6430-042-00	$344.92	085A-6430-094-00	$344.92	085A-6431-033-00	$344.92	085A-6431-085-00	$344.92
085A-6430-043-00	$344.92	085A-6430-095-00	$344.92	085A-6431-034-00	$344.92	085A-6431-086-00	$344.92
085A-6430-044-00	$344.92	085A-6430-096-00	$344.92	085A-6431-035-00	$344.92	085A-6431-087-00	$344.92
085A-6430-045-00	$344.92	085A-6430-097-00	$344.92	085A-6431-036-00	$344.92	085A-6431-088-00	$344.92
085A-6430-046-00	$344.92	085A-6430-098-00	$344.92	085A-6431-037-00	$344.92	085A-6431-089-00	$344.92
085A-6430-047-00	$344.92	085A-6430-099-00	$344.92	085A-6431-038-00	$344.92	085A-6431-090-00	$344.92
085A-6430-048-00	$344.92	085A-6430-100-00	$344.92	085A-6431-039-00	$344.92	085A-6431-091-00	$344.92
085A-6430-049-00	$344.92	085A-6430-101-00	$344.92	085A-6431-040-00	$344.92	085A-6431-092-00	$344.92
085A-6430-050-00	$344.92	085A-6430-102-00	$344.92	085A-6431-041-00	$344.92	085A-6431-093-00	$344.92
085A-6430-051-00	$344.92	085A-6430-103-00	$344.92	085A-6431-042-00	$344.92	085A-6431-094-00	$344.92
085A-6430-052-00	$344.92	085A-6430-104-00	$344.92	085A-6431-043-00	$344.92	085A-6431-095-00	$344.92
085A-6430-053-00	$344.92	085A-6430-105-00	$344.92	085A-6431-044-00	$344.92	085A-6431-096-00	$344.92
085A-6430-054-00	$344.92	085A-6430-106-00	$344.92	085A-6431-045-00	$344.92	085A-6431-097-00	$344.92
085A-6430-055-00	$344.92	085A-6430-107-00	$344.92	085A-6431-046-00	$344.92	085A-6431-098-00	$344.92
085A-6430-056-00	$344.92	085A-6430-108-00	$344.92	085A-6431-047-00	$344.92	085A-6431-099-00	$344.92

City of Hayward
Landscaping & Lighting District No. 96-1
Zone 11
Stonebrae LLAD

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
085A-6431-100-00	$344.92
085A-6431-101-00	$344.92
085A-6431-102-00	$344.92
085A-6431-103-00	$344.92
085A-6431-104-00	$344.92
085A-6431-105-00	$344.92
085A-6428-027-00	$7,927.92
085A-6432-006-00	$180.18
085A-6432-007-00	$180.18
085A-6432-008-00	$180.18
085A-6432-009-00	$180.18
085A-6432-010-00	$180.18
085A-6432-011-00	$180.18
085A-6432-012-00	$180.18
085A-6432-013-00	$180.18
085A-6432-014-00	$180.18
085A-6432-015-00	$180.18
085A-6432-016-00	$180.18
085A-6432-017-00	$180.18
085A-6432-018-00	$180.18
085A-6432-019-00	$180.18
085A-6432-020-00	$180.18
085A-6432-021-00	$180.18
085A-6432-022-00	$180.18
085A-6432-023-00	$180.18
085A-6432-024-00	$180.18
085A-6432-025-00	$180.18
085A-6432-026-00	$180.18
085A-6432-027-00	$180.18
085A-6432-028-00	$180.18
085A-6432-029-00	$180.18
085A-6432-030-00	$180.18
085A-6432-031-00	$180.18
085A-6432-032-00	$180.18
085A-6432-033-00	$180.18
085A-6432-034-00	$180.18
085A-6432-035-00	$180.18
085A-6432-036-00	$180.18
085A-6432-037-00	$180.18
085A-6432-038-00	$180.18
085A-6432-039-00	$180.18
085A-6432-040-00	$180.18
085A-6432-041-00	$180.18
085A-6432-042-00	$180.18
085A-6432-043-00	$180.18
085A-6432-044-00	$180.18
085A-6432-045-00	$180.18
085A-6432-046-00	$180.18
085A-6432-047-00	$180.18
085A-6432-048-00	$180.18
085A-6432-049-00	$180.18
085A-6432-050-00	$180.18
085A-6432-051-00	$180.18
085A-6432-052-00	$180.18
085A-6432-053-00	$180.18
085A-6432-054-00	$180.18
085A-6432-055-00	$180.18
085A-6432-056-00	$180.18
085A-6432-057-00	$180.18
085A-6432-058-00	$180.18
085A-6432-059-00	$180.18
085A-6432-060-00	$180.18
085A-6432-061-00	$180.18
085A-6432-062-00	$180.18
085A-6432-063-00	$180.18
085A-6432-064-00	$180.18
085A-6432-065-00	$180.18
085A-6432-066-00	$180.18
085A-6432-067-00	$180.18
085A-6432-068-00	$180.18
085A-6432-069-00	$180.18
085A-6432-070-00	$180.18
085A-6432-071-00	$180.18
085A-6432-072-00	$180.18
085A-6432-073-00	$180.18
085A-6432-074-00	$180.18
085A-6432-075-00	$180.18
085A-6432-076-00	$180.18
085A-6432-077-00	$180.18
085A-6432-078-00	$180.18
085A-6432-079-00	$180.18
085A-6432-080-00	$180.18
085A-6432-081-00	$180.18
085A-6432-082-00	$344.92
085A-6432-083-00	$344.92
085A-6432-084-00	$344.92
085A-6432-085-00	$344.92
085A-6432-086-00	$344.92
085A-6432-087-00	$180.18
085A-6432-088-00	$180.18
085A-6432-089-00	$180.18
085A-6432-090-00	$180.18
085A-6433-002-00	$344.92
085A-6433-003-00	$180.18
085A-6433-004-00	$344.92
085A-6433-005-00	$344.92
085A-6433-006-00	$344.92
085A-6433-007-00	$344.92
085A-6433-008-00	$344.92
085A-6433-009-00	$344.92
085A-6433-010-00	$344.92
085A-6433-011-00	$344.92
085A-6433-012-00	$344.92
085A-6433-013-00	$180.18
085A-6433-014-00	$180.18
085A-6433-015-00	$180.18
085A-6433-016-00	$180.18
085A-6433-017-00	$180.18
085A-6433-018-00	$180.18
085A-6433-019-00	$180.18
085A-6433-020-00	$344.92
085A-6433-021-00	$344.92
085A-6433-022-00	$180.18
085A-6433-023-00	$180.18
085A-6433-024-00	$180.18
085A-6433-025-00	$344.92
085A-6433-026-00	$344.92
085A-6433-027-00	$344.92
085A-6433-028-00	$344.92
085A-6433-029-00	$344.92
085A-6433-030-00	$344.92
085A-6433-031-00	$344.92
085A-6433-032-00	$344.92
085A-6433-033-00	$344.92
085A-6433-034-00	$344.92
085A-6433-035-00	$344.92
085A-6433-036-00	$344.92
085A-6433-037-00	$344.92
085A-6433-038-00	$180.18
085A-6433-039-00	$180.18
085A-6433-040-00	$180.18
085A-6433-041-00	$180.18
085A-6433-042-00	$180.18
085A-6433-043-00	$180.18
085A-6433-044-00	$180.18
085A-6433-045-00	$180.18
085A-6433-046-00	$180.18
085A-6433-047-00	$180.18
085A-6433-048-00	$180.18
085A-6433-049-00	$180.18
085A-6433-050-00	$180.18
085A-6433-051-00	$180.18
085A-6433-052-00	$180.18
085A-6428-031-00	$16,576.56
085A-6434-001-00	$10,270.26
085A-6434-002-00	$180.18
085A-6434-003-00	$180.18
085A-6434-004-00	$180.18
085A-6434-005-00	$180.18
085A-6434-006-00	$180.18
085A-6434-007-00	$180.18
085A-6434-008-00	$180.18
085A-6434-009-00	$180.18
085A-6434-010-00	$180.18
085A-6434-011-00	$180.18
085A-6434-012-00	$180.18
085A-6434-013-00	$180.18
085A-6434-014-00	$180.18

Total Parcels: @ 366

Total Assessment: **$140,376.64**

City of Hayward
Landscaping & Lighting District No. 96-1

Zone 12

Eden Shores East

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
456 -0099-007-00	$171.70
456 -0099-008-00	$171.70
456 -0099-009-00	$171.70
456 -0099-010-00	$171.70
456 -0099-011-00	$171.70
456 -0099-012-00	$171.70
456 -0099-013-00	$171.70
456 -0099-014-00	$171.70
456 -0099-015-00	$171.70
456 -0099-016-00	$171.70
456 -0099-017-00	$171.70
456 -0099-018-00	$171.70
456 -0099-019-00	$171.70
456 -0099-020-00	$171.70
456 -0099-021-00	$171.70
456 -0099-022-00	$171.70
456 -0099-023-00	$171.70
456 -0099-024-00	$171.70
456 -0099-025-00	$171.70
456 -0099-026-00	$171.70
456 -0099-027-00	$171.70
456 -0099-028-00	$171.70
456 -0099-029-00	$171.70
456 -0099-030-00	$171.70
456 -0099-031-00	$171.70
456 -0099-032-00	$171.70
456 -0099-033-00	$171.70
456 -0099-034-00	$171.70
456 -0099-035-00	$171.70
456 -0099-036-00	$171.70
456 -0099-037-00	$171.70
456 -0099-038-00	$171.70
456 -0099-039-00	$171.70
456 -0099-040-00	$171.70
456 -0099-041-00	$171.70
456 -0099-042-00	$171.70
456 -0099-043-00	$171.70
456 -0099-044-00	$171.70
456 -0099-045-00	$171.70
456 -0099-046-00	$171.70
456 -0099-047-00	$171.70
456 -0099-048-00	$171.70
456 -0099-049-00	$171.70
456 -0099-050-00	$171.70
456 -0099-051-00	$171.70
456 -0099-052-00	$171.70
456 -0099-053-00	$171.70
456 -0099-054-00	$171.70
456 -0099-055-00	$171.70
456 -0099-056-00	$171.70
456 -0099-057-00	$171.70
456 -0099-058-00	$171.70

Assessor's Parcel Number	Assessment Amount
456 -0099-059-00	$171.70
456 -0099-060-00	$171.70
456 -0099-061-00	$171.70
456 -0099-062-00	$171.70
456 -0099-063-00	$171.70
456 -0099-064-00	$171.70
456 -0099-065-00	$171.70
456 -0099-066-00	$171.70
456 -0099-067-00	$171.70
456 -0099-068-00	$171.70
456 -0099-069-00	$171.70
456 -0099-070-00	$171.70
456 -0099-071-00	$171.70
456 -0099-072-00	$171.70
456 -0099-073-00	$171.70
456 -0099-074-00	$171.70
456 -0099-075-00	$171.70
456 -0099-076-00	$171.70
456 -0099-077-00	$171.70
456 -0099-078-00	$171.70
456 -0099-079-00	$171.70
456 -0099-080-00	$171.70
456 -0099-081-00	$171.70
456 -0099-082-00	$171.70
456 -0099-083-00	$171.70
456 -0099-084-00	$171.70
456 -0099-085-00	$171.70
456 -0099-086-00	$171.70
456 -0099-087-00	$171.70
456 -0099-088-00	$171.70
456 -0099-089-00	$171.70
456 -0099-090-00	$171.70
456 -0099-091-00	$171.70
456 -0099-092-00	$171.70
456 -0100-007-00	$171.70
456 -0100-008-00	$171.70
456 -0100-009-00	$171.70
456 -0100-010-00	$171.70
456 -0100-011-00	$171.70
456 -0100-012-00	$171.70
456 -0100-013-00	$171.70
456 -0100-014-00	$171.70
456 -0100-015-00	$171.70
456 -0100-016-00	$171.70
456 -0100-017-00	$171.70
456 -0100-018-00	$171.70
456 -0100-019-00	$171.70
456 -0100-020-00	$171.70
456 -0100-021-00	$171.70
456 -0100-022-00	$171.70
456 -0100-023-00	$171.70
456 -0100-024-00	$171.70

Assessor's Parcel Number	Assessment Amount
456 -0100-025-00	$171.70
456 -0100-026-00	$171.70
456 -0100-027-00	$171.70
456 -0100-028-00	$171.70
456 -0100-029-00	$171.70
456 -0100-030-00	$171.70
456 -0100-031-00	$171.70
456 -0100-032-00	$171.70
456 -0100-033-00	$171.70
456 -0100-034-00	$171.70
456 -0100-035-00	$171.70
456 -0100-036-00	$171.70
456 -0100-037-00	$171.70
456 -0100-038-00	$171.70
456 -0100-039-00	$171.70
456 -0100-040-00	$171.70
456 -0100-041-00	$171.70
456 -0100-042-00	$171.70
456 -0100-043-00	$171.70
456 -0100-044-00	$171.70
456 -0100-045-00	$171.70
456 -0100-046-00	$171.70
456 -0100-047-00	$171.70
456 -0100-048-00	$171.70
456 -0100-049-00	$171.70
456 -0100-050-00	$171.70
456 -0100-051-00	$171.70
456 -0100-052-00	$171.70
456 -0100-053-00	$171.70
456 -0100-054-00	$171.70
456 -0100-055-00	$171.70
456 -0100-056-00	$171.70
456 -0100-057-00	$171.70
456 -0100-058-00	$171.70
456 -0100-059-00	$171.70
456 -0098-023-00	$171.70
456 -0098-024-00	$171.70
456 -0098-025-00	$171.70
456 -0098-026-00	$171.70
456 -0098-027-00	$171.70
456 -0098-028-00	$171.70
456 -0098-030-00	$171.70
456 -0098-031-00	$171.70
456 -0098-032-00	$171.70
456 -0098-033-00	$171.70
456 -0098-034-00	$171.70
456 -0098-035-00	$171.70
456 -0098-036-00	$171.70
456 -0098-037-00	$171.70
456 -0098-039-00	$171.70
456 -0098-040-00	$171.70
456 -0098-041-00	$171.70

Assessor's Parcel Number	Assessment Amount
456 -0098-042-00	$171.70
456 -0098-043-00	$171.70
456 -0098-044-00	$171.70
456 -0098-045-00	$171.70
456 -0098-046-00	$171.70
456 -0098-048-00	$171.70
456 -0098-049-00	$171.70
456 -0098-050-00	$171.70
456 -0098-051-00	$171.70
456 -0098-052-00	$171.70
456 -0098-053-00	$171.70
456 -0098-054-00	$171.70
456 -0098-055-00	$171.70
456 -0098-057-00	$171.70
456 -0098-058-00	$171.70
456 -0098-059-00	$171.70
456 -0098-060-00	$171.70
456 -0098-061-00	$171.70
456 -0098-062-00	$171.70
456 -0098-064-00	$171.70
456 -0098-065-00	$171.70
456 -0098-066-00	$171.70
456 -0098-067-00	$171.70
456 -0098-068-00	$171.70
456 -0098-069-00	$171.70
456 -0098-071-00	$171.70
456 -0098-072-00	$171.70
456 -0098-073-00	$171.70
456 -0098-074-00	$171.70
456 -0098-075-00	$171.70
456 -0098-076-00	$171.70
456 -0098-077-00	$171.70
456 -0098-078-00	$171.70
456 -0098-080-00	$171.70
456 -0098-081-00	$171.70
456 -0098-082-00	$171.70
456 -0098-083-00	$171.70
456 -0098-084-00	$171.70
456 -0098-085-00	$171.70
456 -0098-086-00	$171.70
456 -0098-087-00	$171.70
456 -0098-089-00	$171.70
456 -0098-090-00	$171.70
456 -0098-091-00	$171.70
456 -0098-092-00	$171.70
456 -0098-093-00	$171.70
456 -0098-094-00	$171.70
456 -0098-096-00	$171.70
456 -0098-097-00	$171.70
456 -0098-098-00	$171.70
456 -0098-099-00	$171.70
456 -0098-100-00	$171.70

City of Hayward
Landscaping & Lighting District No. 96-1
Zone 12
Eden Shores East

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
456 -0098-101-00	$171.70
456 -0098-103-00	$171.70
456 -0098-104-00	$171.70
456 -0098-105-00	$171.70
456 -0098-106-00	$171.70
456 -0098-107-00	$171.70
456 -0098-108-00	$171.70
456 -0098-110-00	$171.70
456 -0098-111-00	$171.70
456 -0098-112-00	$171.70
456 -0098-113-00	$171.70
456 -0098-114-00	$171.70
456 -0098-115-00	$171.70
456 -0098-117-00	$171.70
456 -0098-118-00	$171.70
456 -0098-119-00	$171.70
456 -0098-120-00	$171.70
456 -0098-121-00	$171.70
456 -0098-122-00	$171.70
456 -0098-124-00	$171.70
456 -0098-125-00	$171.70
456 -0098-126-00	$171.70
456 -0098-127-00	$171.70
456 -0098-128-00	$171.70
456 -0098-129-00	$171.70
456 -0098-131-00	$171.70
456 -0098-132-00	$171.70
456 -0098-133-00	$171.70
456 -0098-134-00	$171.70
456 -0098-135-00	$171.70
456 -0098-136-00	$171.70
456 -0098-138-00	$171.70
456 -0098-139-00	$171.70
456 -0098-140-00	$171.70
456 -0098-141-00	$171.70
456 -0098-143-00	$171.70
456 -0098-144-00	$171.70
456 -0098-145-00	$171.70
456 -0098-146-00	$171.70
456 -0098-147-00	$171.70
456 -0098-148-00	$171.70
456 -0098-150-00	$171.70
456 -0098-151-00	$171.70
456 -0098-152-00	$171.70
456 -0098-153-00	$171.70
456 -0098-154-00	$171.70
456 -0098-155-00	$171.70
456 -0098-157-00	$171.70
456 -0098-158-00	$171.70
456 -0098-159-00	$171.70
456 -0098-160-00	$171.70
456 -0098-161-00	$171.70

Assessor's Parcel Number	Assessment Amount
456 -0098-162-00	$171.70
Total Parcels:	@ 261
Total Assessment:	$44,81 3.70

City of Hayward
Landscaping & Lighting District No. 96-1

Zone 13

Cannery Place

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
431-0109-005-00	$9,300.00
431-0108-003-00	$150.00
431-0108-037-00	$750.00
431-0108-038-00	$900.00
431-0108-042-00	$1,050.00
431-0108-045-00	$900.00
431-0108-046-00	$900.00
431-0108-049-00	$900.00
431-0108-050-00	$1,050.00
431-0108-053-00	$900.00
431-0108-054-00	$750.00
431-0108-055-00	$1,500.00
431-0108-056-00	$1,500.00
431-0108-057-00	$750.00
431-0108-058-00	$150.00
431-0108-059-00	$150.00
431-0108-060-00	$150.00
431-0108-061-00	$150.00
431-0108-062-00	$150.00
431-0108-063-00	$150.00
431-0108-064-00	$150.00
431-0108-065-00	$150.00
431-0108-066-00	$150.00
431-0108-067-00	$150.00
431-0108-068-00	$150.00
431-0108-069-00	$150.00
431-0108-070-00	$150.00
431-0108-071-00	$150.00
431-0108-072-00	$150.00
431-0108-073-00	$150.00
431-0112-019-00	$1,200.00
431-0112-020-00	$1,200.00
431-0112-021-00	$1,200.00
431-0112-022-00	$900.00
431-0112-023-00	$900.00
431-0112-024-00	$1,350.00
431-0112-025-00	$1,350.00
431-0112-026-00	$1,200.00
431-0112-027-00	$1,200.00
431-0112-028-00	$900.00
431-0112-029-00	$900.00
431-0113-017-00	$900.00
431-0114-001-00	$750.00
431-0114-002-00	$600.00
431-0114-005-00	$450.00
431-0114-006-00	$600.00
431-0114-007-00	$600.00
431-0114-012-00	$600.00
431-0108-034-02	$750.00
431-0108-041-01	$1,050.00
431-0112-031-00	$150.00
431-0112-032-00	$150.00
431-0112-033-00	$150.00
431-0112-034-00	$150.00
431-0112-035-00	$150.00
431-0112-036-00	$150.00
431-0112-037-00	$150.00
431-0112-038-00	$150.00
431-0114-035-00	$150.00
431-0114-036-00	$150.00
431-0114-037-00	$150.00
431-0114-039-00	$150.00
431-0114-040-00	$150.00
431-0114-041-00	$150.00
431-0114-042-00	$150.00
Total Parcels:	**@ 65**
Total Assessment:	**$44,550.00**

CITY OF
HAYWARD
HEART OF THE BAY

DATE: June 28, 2011

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Maintenance District No. 1 – Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane - Preliminarily Approve the Engineer's Report and Levy Assessment for Fiscal Year 2012, Adopt a Resolution of Intention and Set July 26, 2011, as the Public Hearing Date for Such Actions

RECOMMENDATION

That the City Council adopts the attached resolution preliminarily approving the engineer's report, declaring intention to levy assessments for Fiscal Year 2012, and setting July 26, 2011, as the public hearing date concerning Maintenance District No. 1.

BACKGROUND

The annual Engineer's Report (Report) for Maintenance District No. 1 is presented to the City Council in compliance with Section 10-10.25 of the Hayward Municipal Code. The Report is attached and includes the recommended amount of assessment to be levied against each property for Fiscal Year 2012.

Maintenance District No. 1 (MD-1) was formed to fund the operation and maintenance of a storm drain pumping station that serves the Stratford Village development near Stratford Road and Ruus Lane. The District includes four tracts totaling 174 residential homes and one park site.

A 1995 agreement between the City and Alameda County Flood Control and Water Conservation District (Flood Control District) vests responsibility for the maintenance and operation of the storm drain pumping station with the Flood Control District. The 1995 agreement states that the Flood Control District concurred with transfer of the pump station, subject to the City providing the Flood Control District with sufficient funds to operate, maintain, and provide for capital equipment replacement and modifications that may become necessary for the optimal performance of the pump station. The Flood Control District, based on its experience as operator, provided the Fiscal Year 2012 budget amounts in the attached Report.

DISCUSSION

The MD-1 annual assessment not only does not provide sufficient funds for the annual operating and maintenance costs, but it also fails to fully fund the required capital reserves, because the maximum assessment amount of $171.60 set in 1995 prior to the passage of Proposition 218 does not provide for inflation cost adjustments to account for increasing MD-1 operating costs. Absent approval for adjustment by the affected property owners, the Fiscal Year 2012 assessment cannot exceed $171.60 per parcel.

On April 12, 2011, staff sent an invitation letter to all property owners in the MD-1 inviting them to a public information meeting on April 20, 2011 (Attachment III). Staff also walked the neighborhood on Monday, April 18, 2011, and met about twenty residents. All but two of those residents confirmed that they either received or saw the letter, and four indicated that they would consider attending the Wednesday meeting. City and Flood Control District staff held a public information meeting on April 20, 2011, at Ruus School, in an effort to present the property owners with information pertaining to the MD-1 budget situation, and to seek support for a proposed increase in assessment using the Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose Area, as the basis to increase future assessments to pay for increasing operation costs. However, only one property owner attended the meeting.

At the meeting, the Flood Control District staff explained the pump station operation activities, maintenance costs, estimated costs for pump replacements, and the expected life of the MD-1 pumps. The Director of Public Works explained the history of the MD-1 formation, reasons why there are financial shortfalls, and summarized what has been done since 1999 to keep the pump station in service in order to provide local flooding protection for all properties in the MD-1. The attending property owner indicated that he would discuss the matter with his neighbors, and City staff indicated that they would conduct a future neighborhood meeting in anticipation that the owner could encourage a few more property owners to attend.

As has been done since the Fiscal Year 1999, Landscape and Lighting Assessment District 96-1, Zone 4 (LLD Zone 4), which encompasses the same properties as MD-1, will contribute $4,900 from its drainage and access facilities services budget for Fiscal Year 2012 to pay for drainage and access maintenance services budgeted in the Engineer's Report for MD-1.

FISCAL IMPACT

There is no fiscal impact to the City's General Fund for this recommendation because the present costs, including those incurred by the Flood Control District in maintaining the pump station, can still be paid for by the MD-1 fund account, with some augmentation from the area's LLD Zone 4 funds. However, if assessment rates are never increased to cover ongoing costs, at some point in the future, other sources of funding will need to be secured.

PUBLIC CONTACT

Before the City Council public hearing on July 26, 2011, notices will be published once in the Daily Review newspaper and sent to all affected property owners about the hearing. A public meeting has been scheduled for July 12, 2011 for the property owners within MD-1. At the meeting, staff will be available to explain MD-1 responsibilities and funding, and property owners will be given the opportunity to ask questions regarding assessments and services. The property owners may also raise concerns about assessments during the July 26 Council hearing.

NEXT STEPS

Once the City Council adopts the attached resolution of intention, the following meeting schedules will be implemented:

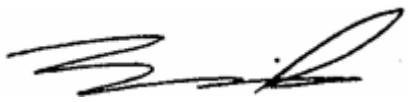
1. On July 12, 2011, a public meeting will be held with the property owners within Maintenance District No. 1.

2. On July 26, 2011, Council will hold a public hearing to consider approving the Engineer's Report and ordering the levy of assessments for Fiscal Year 2012 for Maintenance District No. 1.

Prepared by: John Nguyen, P.E., Development Review Engineer

Recommended by: David Rizk, Development Services Director

Approved by:



Fran David, City Manager

Attachments:

Attachment I Draft Resolution Preliminarily Approving Engineer's Report
Attachment II Preliminary Engineer's Report
Attachment III Public Information April 20, 2011 Meeting Letter

HAYWARD CITY COUNCIL

RESOLUTION NO. 11-_____

Introduced by Council Member _____

RESOLUTION PRELIMINARILY APPROVING ENGINEER'S REPORT, DECLARING INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 2012, AND SETTING JULY 26, 2011, AS THE PUBLIC HEARING DATE CONCERNING MAINTENANCE DISTRICT NO. 1 - STORM DRAINAGE PUMPING STATION AND STORM DRAIN CONDUIT - PACHECO WAY, STRATFORD ROAD, AND RUUS LANE (MD-1)

BE IT RESOLVED by the City Council of the City of Hayward, as follows:

1. Maintenance District No. 1--Storm Drainage Pumping Station and Storm Drain Conduit – Pacheco Way, Stratford Road, and Ruus Lane (the "maintenance district") was established by the adoption of Resolution No. 95-103 to provide funds to operate, maintain, and service a storm drainage pumping station and storm drain conduit constructed to provide a means of handling storm water runoff for Tracts 6472, 6560, 6682, and 6683. The maintenance district consists of properties as shown on the Assessment Roll on file in the Office of the Hayward City Clerk.

2. The Engineer of Work has prepared a report in accordance with Section 10-10.25 of the Hayward Municipal Code. Said report has been made, filed, and duly considered by this City Council and is hereby deemed sufficient and preliminarily approved. Said report shall stand as the report for all subsequent proceedings relating to the proposed levy of district assessments for Fiscal Year 2012.

3. It is the intention of the City Council to order the levy and collection of assessments for the maintenance of the storm drainage pumping station and storm drain conduit pursuant to Part 3, Chapter 26 of Division 7 of the California Streets and Highways Code (commencing with section 5820 thereof).

4. The proposed assessment for Fiscal Year 2012 is $171.60, the same as the current fiscal year.

5. Reference is hereby made to the aforementioned report on file with the City Clerk for a full and detailed description of the improvements, the boundaries of the proposed maintenance district, and the proposed assessments upon assessable lots within said district. Public property owned by any public agency and in use in the performance of a

public function within said district shall not be assessed, except for Stratford Park, owned by the City of Hayward, which is the only publicly owned property which will receive a special benefit from the maintenance of the pumping station and storm drains financed by the maintenance district.

6. On July 26, 2011, at the hour of 7:00 p.m., in the regular meeting place of this City Council, City Council Chambers, 777 B Street, Hayward, California, a public hearing will be held on the levy of the proposed assessment.

   Prior to the conclusion of said public hearing, any interested person may file a written protest with the City Clerk, or having previously filed a protest, may file a written withdrawal of that protest. A written protest by a property owner shall contain a description sufficient to identify the property owned by such owner.

7. The City Clerk is hereby directed to cause a notice of said meeting and hearing to be made in the form and manner provided by applicable laws.

IN COUNCIL, HAYWARD, CALIFORNIA_____

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

PRELIMINARY ENGINEER'S REPORT

CITY OF HAYWARD
MAINTENANCE DISTRICT No. 1

Fiscal Year 2012

June 28, 2011

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Appendix A – Vicinity Map

Appendix B - Assessment Diagram

Appendix C - Fiscal Year 2012 Assessment Roll

CITY COUNCIL MEMBERS AND CITY STAFF

Michael Sweeney
Mayor

Barbara Halliday
Council Member

Olden Henson
Council Member

Marvin Peixoto
Council Member

Bill Quirk
Council Member

Mark Salinas
Council Member

Francisco Zermeno
Council Member

Fran David
City Manager

Michael Lawson
City Attorney

Miriam Lens
City Clerk

Robert Bauman, Ph.D., P.E.
Director of Public Works

John Nguyen, M.S.C.E., P.E.
Engineer of Work

CITY OF HAYWARD
MAINTENANCE DISTRICT No. 1
FISCAL YEAR 2012

The undersigned, acting on behalf of the City of Hayward, respectfully submits the enclosed Engineer's Report as directed by the City of Hayward City Council. The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: _____ By:_____
John Nguyen, M.S.C.E., P.E.
RCE No. 55104

I HEREBY CERTIFY that the Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was filed with me on the ____ day of _____, 2011.

Miriam Lens
City Clerk, City of Hayward

By:_____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Hayward, Alameda County, California, on the ____ day of _____, 2011.

Miriam Lens
City Clerk, City of Hayward

By:_____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was filed with the County Auditor of the County of Alameda, on the _____ day of _____, 2011.

By:_____
John Nguyen, M.S.C.E., P.E.
RCE No. 55104

SECTION I

INTRODUCTION
ENGINEER'S REPORT

CITY OF HAYWARD
MAINTENANCE DISTRICT NO. 1

FISCAL YEAR 2012

Background Information

On January 5, 1993, by Resolution No. 93-010, the City Council approved the vesting tentative map of Tract 6472 for a 148 lot single-family residential subdivision located on the northerly side of Industrial Parkway West adjacent to the collector streets of Pacheco Way, Stratford Road and Ruus Lane. The final subdivision consisted of 143 lots.

Conditions of approval for Tentative Map Tract 6472, which included Final Tract Maps 6472, 6560, 6682 and 6683, included provisions for storm drainage improvements and construction of an approved stormwater pumping facility. The drainage area and the stormwater pumping facility were analyzed in documents prepared by Wilsey & Ham, Civil Engineers. These documents indicated the following: the drainage basin includes 29.1 acres, of which 24.7 acres are residential, 1.9 acres are for a park site, and 2.5 acres are for the collector streets associated with Stratford Road and Ruus Lane. Pacheco Way does not drain into this drainage basin system nor does the industrial property to the south.

In addition to the 143 lots identified above, final Tract Map 6682, with a total of 31 lots located immediately to the east of Chutney Road, was also approved. Therefore, the total number of residential lots in the drainage basin is 174. In addition to the residential lots, there is a park located on one parcel of land. Therefore, there are 175 assessable parcels in the drainage basin.

On June 6, 1995, by Resolution No. 95-103, the City Council ordered the formation of Maintenance District No. 1 to provide for the operation and maintenance of the storm drainage improvements and the stormwater pumping facility to facilitate the drainage basin.

A Storm Water Lift Station (SWLS) has been constructed to pump storm water run-off for the developed area which is adjacent to the Alameda County Flood Control and Water Conservation District's ("Flood Control District") Line B, Zone No. 3A. The plans for the lift station were approved by the City and the Flood Control District. The SWLS was designed with capacity for only the development of the area encompassing the 175 parcels. No added capacity was constructed for run-off from other areas such as the Georgian Manor and Spanish Ranch Mobile Home Parks, which are presently served by a privately owned and operated pumping facility located within each park.

An agreement between the City and the Flood Control District transferred ownership of the SWLS to the Flood Control District. The agreement states that the Flood Control District concurred with the SWLS transfer subject to the City providing the Flood Control District with the funds to operate, maintain, and provide for capital equipment replacement and for modifications that may become necessary for the optimal performance of the SWLS.

Proposition 218 Compliance

On November 5, 1996, California voters approved Proposition 218 entitled "Right to Vote On Taxes Act," which added Articles XIIIC and XIIID to the California Constitution. While its title refers only to taxes, Proposition 218 establishes new procedural requirements for the formation and administration of assessment districts.

These new procedures stipulate that, even if assessments are initially exempt from Proposition 218, future increases in assessments must comply with the provisions of Proposition 218. However, if the increase in assessment was anticipated in the assessment formula (e.g., Consumer Price Index (CPI) increase or assessment cap) then the City would be in compliance with the provisions of Proposition 218 if the assessments did not exceed the previously approved assessment formula.

For Fiscal Year 2012, the proposed collection rate is $171.60 per parcel, the same as the current fiscal year. Since the proposed Fiscal Year 2012 assessment is at the maximum base assessment of $171.60, Proposition 218 proceedings are not needed.

Current Annual Administration

The agreement between the City and the Flood Control District calls for the City each year to deposit with the Flood Control District the funds to maintain, operate, and set aside assessment revenue to provide for a capital replacement fund.

Each year, no later than December 1, the Flood Control District furnishes the City with an itemized estimate of the cost to operate, maintain and supplement the capital equipment replacement fund for the fiscal year commencing on the next July 1. Should the capital equipment replacement fund be inadequate to cover unscheduled/emergency repairs, equipment replacement or modifications that are found to be necessary for the normal and safe performance of the Storm Water Lift Station (SWLS), the Flood Control District will provide the City with written notice of the need for additional funding.

In FY 2001 the Flood Control District staff evaluated and approved the purchase of a Supervisory Control and Data Acquisition (SCADA) system. This system allows Alameda County Flood Control staff to respond much faster in emergencies and allows staff to remotely observe, troubleshoot, and operate the facility. For instance, during heavy rains, the operator can observe pumping actions, start and stop the pumps, and reset alarms remotely. The cost of purchasing this system has been spread over an eight (8) year period. The last payment for the SCADA system was paid from the FY 2009 assessment proceeds.

The annual Engineer's Report includes: (1) a description of the improvements to be operated, maintained and serviced, (2) an estimated budget, and (3) a listing of the proposed collection rate to be levied upon each assessable lot or parcel.

The City of Hayward will hold a public hearing on July 26, 2011, to provide an opportunity for any interested person to be heard. At the conclusion of the public hearing, the City Council may adopt a resolution confirming the levy of assessments as originally proposed or as modified. Following the adoption of this resolution, the final Assessor's Roll will be prepared and filed with the County Auditor's office to be included on the Fiscal Year 2012 tax roll.

Payment of the assessment for each parcel will be made in the same manner and at the same time as payments are made for property taxes. All funds collected through the assessment must be placed in a special fund and can only be used for the purposes stated within this report.

SECTION II

ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF CHAPTER 26 OF PART 3 OF DIVISION 7 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA

CITY OF HAYWARD
MAINTENANCE DISTRICT NO. 1

FISCAL YEAR 2012

Pursuant to Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California, and Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code, and in accordance with the Resolution of Intention, being Resolution No. 11-_____, Preliminarily Approving the Engineer's Report, on June 28, 2011 by the City Council of the City of Hayward, County of Alameda, State of California, in connection with the proceedings for:

CITY OF HAYWARD
MAINTENANCE DISTRICT No. 1

Hereinafter referred to as the "District", I, John Nguyen, P.E., the duly appointed ENGINEER OF WORK, submit herewith the "Report" consisting of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements in the District. Plans and specifications for the improvements and maintenance are as set forth on the lists thereof, attached hereto, and are on file in the Office of the City Clerk of the City of Hayward, and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements, maintenance and incidental costs and expenses in connection therewith, as set forth on the lists thereof, attached hereto, and are on file in the Office of the City Clerk of the City of Hayward.

PART C: MAINTENANCE ASSESSMENT DISTRICT DIAGRAM

This part incorporates, by reference, a Diagram of the Maintenance Assessment District showing the exterior boundaries of the Maintenance Assessment District and the boundaries of any zones within the Maintenance Assessment District.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENT

This part describes the method of apportionment of assessments based upon the parcel classification of land within the Assessment District, and in proportion to the estimated benefits to be received.

PART E: PROPERTY OWNER LIST & ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements on each benefited lot or parcel of land within the Assessment District. The Assessment Roll is filed in the Office of the Hayward City Clerk.

PART A

PLANS AND SPECIFICATIONS

The facilities, which have been constructed within the City of Hayward's Maintenance District No. 1 boundaries, and those which may be subsequently constructed, will be operated, maintained and serviced and are generally described as follows:

DESCRIPTION OF IMPROVEMENTS

CITY OF HAYWARD
MAINTENANCE DISTRICT No. 1

FISCAL YEAR 2012

The following improvements are proposed to be operated, maintained and serviced in Maintenance District No. 1 for Fiscal Year 2012:

- *The Stratford Village Storm Water Lift Station (SWLS)*

The operation and servicing of these facilities include, but are not limited to: personnel; electrical energy; materials, including diesel fuel and oil; hazardous materials clean up; and appurtenant facilities as required to provide sufficient run-off capacity.

Maintenance means the furnishing of services and materials for the ordinary and usual operations, maintenance and servicing of the SWLS, including repair, removal or replacement of all or part of any of the SWLS.

For Fiscal Year 2012, the collection rate will remain the same as the current fiscal year at $171.60 per parcel. This amount is the same as the base assessment, and is not indexed to the Consumer Price Index. Any future increases would require noticing and balloting of property owners per the requirements of Proposition 218.

PART B

ESTIMATE OF COST

Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code and as supplemented by the provisions of Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California provides that the total cost of operation, maintenance and servicing of the storm drainage improvements and storm water pumping station can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with these improvements can also be included.

The costs for Fiscal Year 2012 are summarized in Table No. 1 on the following page. These cost estimates are based on Alameda County budget projections for Fiscal Year 2012.

TABLE 1: COST ESTIMATE FISCAL YEAR 2012 Fund 836 - Maintenance District No. 1	
	Fiscal Year 2012 Budget
Number of Assessable Parcels	175
Beginning City Fund Balance (July 1, 2011)	$17,170.30
REVENUE	
Annual Assessment Fee (175 Assessable Parcels)	$30,030.00
County Collection Fee (1.7%)	($510.51)
Payment by LLAD - Zone 4	$4,900.00
Net Revenue	$34,419.49
Total Available	**$51,589.79**
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy	$1,200.00
(b) **Maintenance Work**: Landscaping maintenance plus debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	$0.00
Subtotal I:	**$1,200.00**
II. Supplies & Services	
(a) Special Services	$865.00
(b) Alameda County Flood Control District [1]	$39,842.00
(c) Supplies: printing and postage	$50.00
Subtotal II:	**$40,757.00**
III. Administrative Services	
(a) Administration	$1,000.00
Subtotal III:	**$1,000.00**
Total Expense (Sum of I, II and II)	$42,957.00
Ending Balance of Fiscal Year (June 30, 2012)	$8,632.79
The Amount Used from City Fund Balance	($8,537.89)
RESERVE DETAIL	
(a) Required Working Capital (0% of Total Expense) [2]	$0.00
(b) Current Capital Replacement Fund at Flood Control District [3] **($55,000)**	
Anticipated Total City Fund Balance at the end of Fiscal Year	**$8,632.79**
Collection per Parcel	**$171.60**
Base Assessment per Parcel	**$171.60**

NOTES:

(1) These items reflect the budget as proposed by the Alameda County Flood Control District.

(2) The City does not need to maintain an operating reserve because of the agreement between the City and County. The City receives assessment revenue in December and April of each year. The County subsequently invoices the City in March and June of each year. Therefore the City's goal is to maintain a minimal positive balance in the operating reserve fund. As in previous years the City has the ability to reduce contributions to the County's Operating or Capital Reserve Fund to offset the City's operating reserve shortfall.

(3) Reflects the amount of operating and capital reserves funds currently available at the Alameda County Flood Control District.

PART C

MAINTENANCE ASSESSMENT DISTRICT DIAGRAM

The boundary of the City of Hayward's Maintenance District No. 1 is on file in the Office of the Hayward City Clerk and is incorporated in this report in Appendix "B".

A detailed description of the lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Alameda for Fiscal Year 2012.

For additional information as to the bearings, distances, monuments, easements, etc. of subject subdivisions, reference is hereby made to Final Tract Maps No. 6472, 6560, 6682 and 6683 filed in the Office of the Recorder of Alameda County.

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code and as supplemented by the provisions of Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the operation, maintenance and servicing of pump stations.

The properties contributing storm water run-off to the pump station consist of the estimated 174 residential lots and street areas within those subdivisions, a portion of Stratford Road and Ruus Lane, and the Stratford Park owned by the City of Hayward.

Proposition 218 also requires that maintenance assessments must be levied according to benefit rather than according to assessed value. In addition, Article XIIID, Section 4(a) of the California Constitution limits the amount of any assessment to the proportional special benefit conferred on the property.

The residential land uses contain 174 parcels that are contiguous to each other and are not a continuation of any existing development in the surrounding area. The parcels receive a special benefit in that the pumping station and the storm drains protect the residential parcels from storm water flooding. The special benefit derived by the individual parcels is indistinguishable between parcels. Therefore, all residential parcels derive the same benefit and the corresponding method of assessment for residential land uses is based on a per parcel basis.

Article XIIID of the California Constitution provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways.

Stratford Park is owned by the City and receives minimal special benefit. There are no buildings to protect from flooding, only minor structures and landscaping. Therefore, the special benefit for the park was established as equal to the benefit received by one residential parcel, for a district total of 175 parcels.

The projected Fiscal Year 2012 maintenance and incidental costs are estimated to be $42,957.00. The collection rate for Fiscal Year 2012 will be at the maximum base assessment of $171.60 per parcel.

PART E

PROPERTY OWNER LIST & ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels within the City of Hayward's Maintenance District No. 1 is shown on the last equalized Property Tax Roll of the Assessor of the County of Alameda, which is hereby made a part of this report. This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll on file in the Office of the Hayward City Clerk.

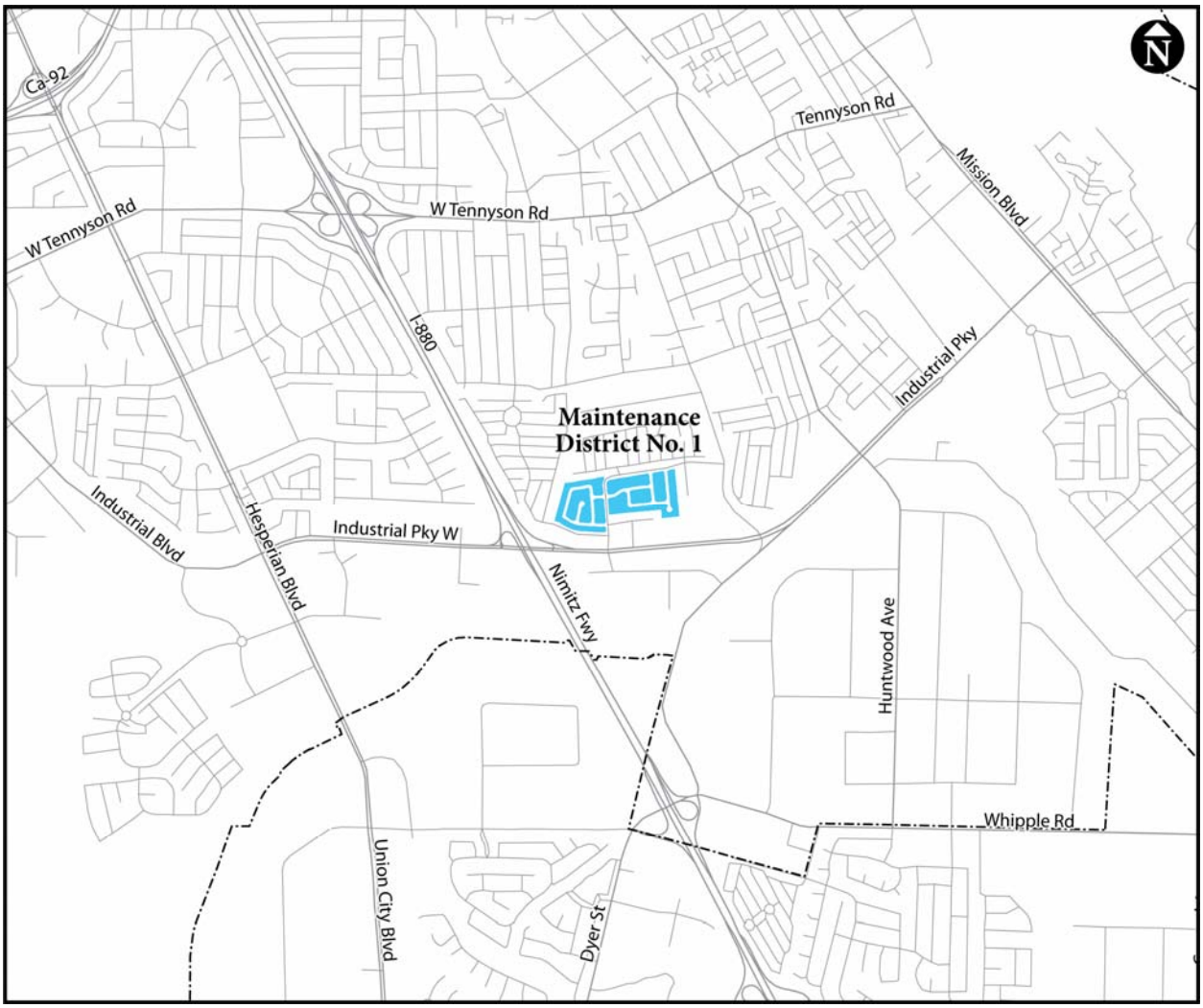
The proposed collection rate and the amount for Fiscal Year 2012 apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office, are on file in the Office of the City Clerk. The description of each lot or parcel is part of the records of the Assessor of the County of Alameda and these records are, by reference, made a part of this report.

The total amount proposed to be collected for Fiscal Year 2012 is $30,030.00.

The Assessment Roll for Fiscal Year 2012 is included in Appendix "A" of this Report and is on file in the Office of the Hayward City Clerk.

APPENDIX A

VICINITY MAP


N
Ca-92
Tennyson Rd
Mission Blvd
W Tennyson Rd
W Tennyson Rd
I-880
Industrial Pky
Maintenance
District No. 1
Industrial Blvd
Hesperian Blvd
Industrial Pky W
Nimitz Fwy
Huntwood Ave
Whipple Rd
Union City Blvd
Dyer St

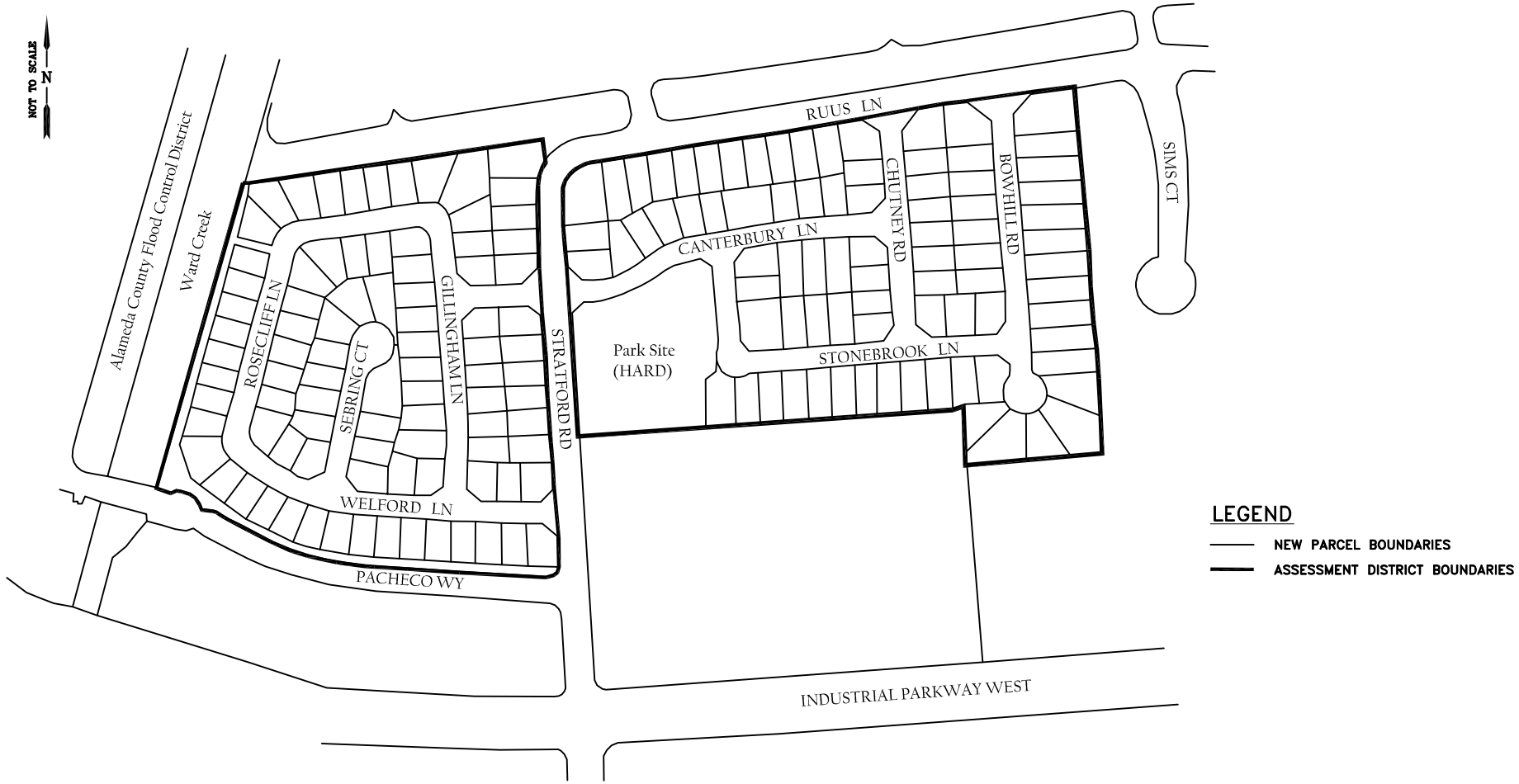
APPENDIX B

ASSESMENT DIAGRAM

SHEET 1 OF 1

ASSESSMENT DIAGRAM
MAINTENANCE DISTRICT No. 1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



PREPARED BY FRANCISCO AND ASSOCIATES, INC

N:\Hayward\FY09-10\MD_1\CADD\md1_diagram.pdf (05/04/2009 SA)

APPENDIX C

FISCAL YEAR 2012
ASSESSMENT ROLL

City of Hayward
Maintenance District No. 1

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
464 -0121-001-00	$171.60
464 -0121-002-00	$171.60
464 -0121-003-00	$171.60
464 -0121-004-00	$171.60
464 -0121-005-00	$171.60
464 -0121-006-00	$171.60
464 -0121-007-00	$171.60
464 -0121-008-00	$171.60
464 -0121-009-00	$171.60
464 -0121-010-00	$171.60
464 -0121-011-00	$171.60
464 -0121-012-00	$171.60
464 -0121-013-00	$171.60
464 -0121-014-00	$171.60
464 -0121-015-00	$171.60
464 -0121-016-00	$171.60
464 -0121-017-00	$171.60
464 -0121-018-00	$171.60
464 -0121-019-00	$171.60
464 -0121-020-00	$171.60
464 -0121-021-00	$171.60
464 -0121-022-00	$171.60
464 -0121-023-00	$171.60
464 -0121-024-00	$171.60
464 -0121-025-00	$171.60
464 -0121-026-00	$171.60
464 -0121-027-00	$171.60
464 -0121-028-00	$171.60
464 -0121-029-00	$171.60
464 -0121-030-00	$171.60
464 -0121-031-00	$171.60
464 -0121-032-00	$171.60
464 -0121-033-00	$171.60
464 -0121-034-00	$171.60
464 -0121-035-00	$171.60
464 -0121-036-00	$171.60
464 -0121-037-00	$171.60
464 -0121-038-00	$171.60
464 -0121-039-00	$171.60
464 -0121-040-00	$171.60
464 -0121-041-00	$171.60
464 -0121-042-00	$171.60
464 -0121-049-00	$171.60
464 -0121-050-00	$171.60
464 -0121-051-00	$171.60
464 -0121-052-00	$171.60
464 -0121-053-00	$171.60
464 -0121-054-00	$171.60
464 -0121-055-00	$171.60
464 -0121-056-00	$171.60
464 -0121-057-00	$171.60
464 -0121-058-00	$171.60

Assessor's Parcel Number	Assessment Amount
464 -0121-059-00	$171.60
464 -0121-060-00	$171.60
464 -0121-061-00	$171.60
464 -0121-062-00	$171.60
464 -0121-063-00	$171.60
464 -0121-064-00	$171.60
464 -0121-065-00	$171.60
464 -0121-066-00	$171.60
464 -0121-067-00	$171.60
464 -0121-068-00	$171.60
464 -0121-069-00	$171.60
464 -0121-070-00	$171.60
464 -0121-071-00	$171.60
464 -0121-072-00	$171.60
464 -0121-073-00	$171.60
464 -0121-074-00	$171.60
464 -0121-075-00	$171.60
464 -0121-076-00	$171.60
464 -0121-077-00	$171.60
464 -0121-078-00	$171.60
464 -0121-080-00	$171.60
464 -0121-081-00	$171.60
464 -0121-082-00	$171.60
464 -0121-083-00	$171.60
464 -0121-084-00	$171.60
464 -0121-085-00	$171.60
464 -0121-086-00	$171.60
464 -0121-087-00	$171.60
464 -0121-088-00	$171.60
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464 -0121-091-00	$171.60
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464 -0121-094-00	$171.60
464 -0121-095-00	$171.60
464 -0121-096-00	$171.60
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464 -0122-003-00	$171.60
464 -0122-004-00	$171.60
464 -0122-005-00	$171.60
464 -0122-006-00	$171.60
464 -0122-007-00	$171.60
464 -0122-008-00	$171.60
464 -0122-009-00	$171.60
464 -0122-010-00	$171.60
464 -0122-011-00	$171.60
464 -0122-012-00	$171.60
464 -0122-013-00	$171.60
464 -0122-014-00	$171.60
464 -0122-015-00	$171.60
464 -0122-016-00	$171.60

Assessor's Parcel Number	Assessment Amount
464 -0122-017-00	$171.60
464 -0122-018-00	$171.60
464 -0122-019-00	$171.60
464 -0122-020-00	$171.60
464 -0122-021-00	$171.60
464 -0122-022-00	$171.60
464 -0122-023-00	$171.60
464 -0122-024-00	$171.60
464 -0122-025-00	$171.60
464 -0122-026-00	$171.60
464 -0122-027-00	$171.60
464 -0122-028-00	$171.60
464 -0122-029-00	$171.60
464 -0122-030-00	$171.60
464 -0122-031-00	$171.60
464 -0122-032-00	$171.60
464 -0122-033-00	$171.60
464 -0122-034-00	$171.60
464 -0122-035-00	$171.60
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464 -0122-044-00	$171.60
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464 -0122-046-00	$171.60
464 -0122-047-00	$171.60
464 -0122-048-00	$171.60
464 -0122-049-00	$171.60
464 -0122-050-00	$171.60
464 -0122-051-00	$171.60
464 -0122-052-00	$171.60
464 -0122-053-00	$171.60
464 -0122-054-00	$171.60
464 -0122-055-00	$171.60
464 -0122-056-00	$171.60
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464 -0122-059-00	$171.60
464 -0122-060-00	$171.60
464 -0122-061-00	$171.60
464 -0122-062-00	$171.60
464 -0122-063-00	$171.60
464 -0122-064-00	$171.60
464 -0122-065-00	$171.60
464 -0122-066-00	$171.60
464 -0122-067-00	$171.60
464 -0122-068-00	$171.60

City of Hayward
Maintenance District No. 1

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
464 -0122-069-00	$171.60
464 -0122-070-00	$171.60
464 -0122-071-00	$171.60
464 -0122-072-00	$171.60
464 -0122-073-00	$171.60
464 -0122-074-00	$171.60
464 -0122-075-00	$171.60
464 -0122-076-00	$171.60
464 -0122-077-00	$171.60
464 -0122-078-00	$171.60
464 -0122-079-00	$171.60
464 -0122-080-00	$171.60
464 -0122-081-00	$171.60
464 -0122-082-00	$171.60
464 -0122-083-00	$171.60
464 -0122-084-00	$171.60
464 -0122-085-00	$171.60
464 -0122-086-00	$171.60
464 -0122-087-00	$171.60
Total Parcels:	175
Total Assessment:	$30,030.00

CITY OF
HAYWARD
HEART OF THE BAY

MAINTENANCE DISTRICT NO. 1 - Storm Drainage Pumping Station Serving the Pacheco Way, Stratford Road and Ruus Lane Neighborhood.

PUBLIC INFORMATION MEETING

WHEN: Wednesday, April 20, 2011
WHERE: Ruus School, Cafeteria Room
28027 Dickens Ave, Hayward, CA 94544
TIME: 6:30 PM

Dear Homeowner:

The City of Hayward would like to invite local residents and property owners to a public information meeting on **Wednesday, April 20, 2011, at 6:30 pm, at Ruus School, Cafeteria Room** to learn about the maintenance and operations of the Storm Drainage Pumping Station serving the Pacheco Way, Stratford Road and Ruus Lane neighborhood in which your property is located.

In 1995, 174 residential homes and a park site were developed, and Maintenance District No. 1 (Maintenance District) was formed to fund the operations and maintenance of the stormwater pump station and its storm drainage system serving your neighborhood. Based on its expertise, the Alameda County Flood Control and Water Conservation District (Flood Control District) agreed to maintain the pump station and related facilities, and annually bills the Maintenance District for maintenance costs, as well as the $7,500 Capital reserve funding obligation. The maximum assessment amount of $171.60 per parcel, set in 1995 prior to the passage of State Proposition 218 and attained in 1999, does not provide sufficient funds for the annual operating and maintenance costs, and also fails to fully fund the required Capital reserves. Capital reserve funds are maintained to pay for planned or unexpected major repairs or replacement of Maintenance District facilities. For example, it would cost approximately $50,000 to $60,000 to replace one of the Maintenance District's two main pump systems that have been in operation since 1996.

IMPORTANCE OF PROVIDING ADEQUATE MAINTENANCE

Your property is currently protected from local flooding by the storm drain pumping station installed as part of Maintenance District No. 1. Even in a moderate-to-low risk flood area like your neighborhood, such protection becomes increasingly important during heavy rains. From January through March of this year, we experienced more rainy days with excessive rainfall than previous rainy seasons from 2008 to 2010.

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
777 B STREET, HAYWARD, CA 94541-5007
TEL: 510/583-4200 • FAX: 510/583-3649 • TDD: 510/247-3340 • WEBSITE: www.hayward-ca.gov

Homeowner's insurance typically does not cover flood damage and the entire cost of repairs would typically be borne by property owners.

NEED TO PAY OPERATING AND MAINTENANCE COSTS

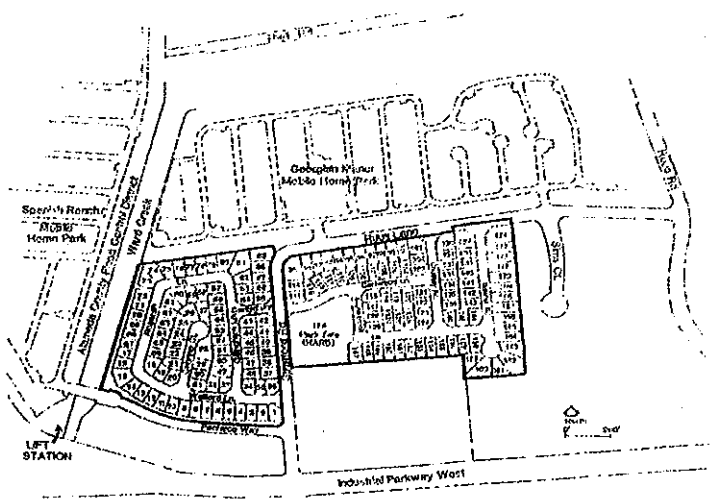
For Fiscal Year 2012, staff is seeking your support for a proposed increase of assessments using the Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose Area as the basis to increase future assessments to pay for increasing operating costs and Capital reserve funding obligation, so that the Flood Control District can adequately perform maintenance operations of the pump station facilities to provide drainage protection to your neighborhood. To give you an idea of what minimal increase in annual assessment would have occurred if such a CPI factor was in effect starting in 2008, the annual assessment would have been $176.94 in 2008, $182.12 in 2009, $183.72 in 2010, and $188.17 for this year. For Fiscal Year 2012, the annual assessment would be $175.15 with your support for the increase.

At the April 20 meeting, you will learn about information related to the on-going operation and maintenance of the pump station that provides drainage protection to your neighborhood, its functions, equipment life, and financial situation; and provide input and support for the proposed increase of assessment.

If you are unable to attend this meeting, but would like to comment on this issue, please contact Hayward's Development Review Engineer, John Nguyen, at john.nguyen@hayward-ca.gov or at (510) 583-4111. Your input is appreciated.

Very truly yours,

David Rizk, AICP
Development Services Director



Map of Maintenance District No. 1 Service Area: Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane

CITY OF
HAYWARD
HEART OF THE BAY

DATE: June 28, 2011

TO: Mayor and City Council

FROM: Director of Development Services

SUBJECT: Maintenance District No.2 – Eden Shores Storm Water Facilities and Water Buffer -Preliminarily Approve the Engineer's Report and Levy Assessment for Fiscal Year 2012, Adopt a Resolution of Intention and Set July 26, 2011, as the Public Hearing for Such Actions

RECOMMENDATION

That the City Council adopts the attached resolution preliminarily approving the Engineer's Report, declaring intention to levy assessments for Fiscal Year 2012, and setting July 26, 2011, as the public hearing date concerning Maintenance District No. 2, Eden Shores Storm Water Facilities and Water Buffer (District).

BACKGROUND

The annual Engineer's Report (Report) for Maintenance District No. 2 is presented to the City Council in compliance with Section 10-10.25 of the Hayward Municipal Code. The Report is attached and includes the recommended amount of assessment to be levied against each property for Fiscal Year 2012.

The District was formed in June 2003 to fund the operation and maintenance by City-hired contractors of storm water facilities, the water buffer zone bordering the residential portion of Eden Shores, masonry walls, and landscaping within the development area. The District includes three residential tracts in Eden Shores, totaling 534 homes. The funds collected from the property owners within the District pay for annual operations and maintenance and to establish Capital Reserve funds, which would be utilized to repair or replace sections of fencing, masonry walls, pumps, or structures in the future. The District assumed full maintenance responsibility at the beginning of Fiscal Year 2009.

DISCUSSION

The maximum base assessment rate that can be levied in Fiscal Year 2012 is $772.16 per parcel. This maximum base assessment amount is increased annually based upon the change in the Consumer Price Index. Besides performing regular maintenance, staff anticipates that some of the District's pump systems may need to be replaced in Fiscal Year 2012, due to their age. The estimated

cost for replacing those pumps is $15,000 (approximately $28 per parcel), and the estimated cost for regular maintenance is approximately $68,300 (about $128 per parcel), which totals $83,300, or $156 per parcel. Given current economic conditions and the current Capital Reserve fund balance of approximately $290,000, staff recommends the Fiscal Year 2012 assessment be increased by $30 to $130 per parcel to cover an increase of ongoing regular maintenance and utility costs. If necessary, approximately $15,000 for the Capital Reserve funds would be used to pay for the replacement of any pump systems.

Proposition 218 Compliance - The increase in the maximum base assessment rate that can be levied in Fiscal Year 2012 is in compliance with the provisions of Proposition 218 because the maximum assessment does not exceed the previous approved assessment formula. The proposed FY2012 assessment of $130.00 is below the maximum base assessment of $772.16. If in future years there is a need for additional funds, the collection rate may be increased up to the maximum base assessment amount. Future increases in the collection rate up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

PUBLIC CONTACT

Before the City Council public hearing on July 26, 2011, notices will be published once in the Daily Review newspaper and sent to all affected property owners about the hearing. A public meeting has been scheduled on July 12, 2011 for the property owners within the District. At the meeting, staff will be available to explain District responsibilities, operations and funding and property owners will be given the opportunity to ask questions regarding assessments and services. The property owners may also raise questions about assessments during the July 26 Council hearing.

FISCAL IMPACT

There is no fiscal impact to the City General Fund for this recommendation, because the present expenditures are to be paid for by the District fund account. Although the District Capital Reserve fund balance could be reduced by $15,000 from $290,000 to approximately $275,000 at the end of Fiscal Year 2012 to pay for sump pump replacement, staff has evaluated this Capital Reserve fund balance and asserts that it would be adequate for Fiscal Year 2012. If necessary, the annual collection rate in Fiscal Year 2013 could be increased to bring the Capital Reserve fund balance to the desired level. The original engineer's estimate of construction costs for all of the District facilities was $1,380,000 (in 2003 dollars) and this construction cost was used to establish the desired Capital Reserve fund amount.

NEXT STEPS

Once the City Council adopts the attached resolution of intention, the following meeting schedules will be implemented:

1. On July 12, 2011, a public meeting will be held with the property owners within the District.

2. On July 26, 2011, Council will hold a public hearing to consider approving the Engineer's Report and ordering the levy of assessment for Fiscal Year 2012.

Prepared by: John Nguyen, P.E., Development Review Engineer

Recommended by: David Rizk, Development Services Director

Approved by:

Fran David, City Manager

Attachments:

Attachment I Draft Resolution – Preliminarily Approving Engineer's Report
Attachment II Preliminary Engineer's Report

HAYWARD CITY COUNCIL

RESOLUTION NO. 11-_____

Introduced by Council Member _____

RESOLUTION PRELIMINARILY APPROVING ENGINEER'S REPORT, DECLARING INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 2012, AND SETTING JULY 26, 2011, AS THE PUBLIC HEARING DATE CONCERNING MAINTENANCE DISTRICT NO. 2 - EDEN SHORES STORM WATER FACILITIES AND WATER BUFFER (MD - 2)

BE IT RESOLVED by the City Council of the City of Hayward, as follows:

1. Maintenance District No. 2 -- Eden Shores Storm Water Facilities and Water Buffer (the "maintenance district") was established by the adoption of Resolution No. 03-102 to provide funds to operate, maintain, and service a storm water facilities and the water buffer bordering the residential portion of Eden Shores, which encompasses the three residential tracts 7316, 7360 and 7361, in Eden Shores development, totaling 534 homes. The maintenance district consists of the properties as shown on the Assessment Roll on file in the Office of the Hayward City Clerk.

2. The Engineer of Work has prepared a report in accordance with Section 10-10.25 of the Hayward Municipal Code. Said report has been made, filed, and duly considered by this City Council and is hereby deemed sufficient and preliminarily approved. Said report shall stand as the report for all subsequent proceedings related to the proposed levy of district assessments for Fiscal Year 2012.

3. It is the intention of the City Council to order the levy and collection of assessments for the maintenance of the storm water facilities and water buffer pursuant to Part 3, Chapter 26 of Division 7 of the California Streets and Highways Code (commencing with Section 5820 thereof).

4. The proposed assessment for Fiscal Year 2012 is $130, an increase of $30 over the previous fiscal year's assessment, but less than the base assessment amount of $772.16.

5. Reference is hereby made to the aforementioned report on file with the City Clerk for a full and detailed description of the improvements, the boundaries of the proposed maintenance district, and the proposed assessments upon assessable lots within said district.

6. On July 26, 2011, at the hour of 7:00 p.m., in the regular meeting place of this City Council, City Council Chambers, 777 B Street, Hayward, California, a public hearing will be held on the levy of the proposed assessment.

   Prior to the conclusion of said public hearing, any interested person may file a written protest with the City Clerk, or having previously filed a protest, may file a written withdrawal of that protest. A written protest by a property owner shall contain a description sufficient to identify the property owned by such owner.

7. The City Clerk is hereby directed to cause a notice of said meeting and hearing to be made in the form and manner provided by applicable laws.

IN COUNCIL, HAYWARD, CALIFORNIA _____

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

PRELIMINARY ENGINEER'S REPORT

CITY OF HAYWARD

MAINTENANCE DISTRICT No. 2
(Eden Shores)

Fiscal Year 2012

June 28, 2011

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Appendix A – Vicinity Map

Appendix B - Assessment Diagram

Appendix C - Fiscal Year 2012 Assessment Roll

CITY COUNCIL MEMBERS AND CITY STAFF

Michael Sweeney
Mayor

Barbara Halliday
Council Member

Olden Henson
Council Member

Marvin Peixoto
Council Member

Bill Quirk
Council Member

Mark Salinas
Council Member

Francisco Zermeno
Council Member

Fran David
City Manager

Michael Lawson
City Attorney

Miriam Lens
City Clerk

Robert Bauman, Ph.D., P.E.
Director of Public Works

John Nguyen, M.S.C.E., P.E.
Engineer of Work

ENGINEER'S REPORT

CITY OF HAYWARD
MAINTENANCE DISTRICT NO. 2
FISCAL YEAR 2012

The undersigned, acting on behalf of the City of Hayward, respectfully submits the enclosed Engineer's Report as directed by the City of Hayward City Council. The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: _____ By:_____
John Nguyen, M.S.C.E.,P.E.
RCE No. 55104

I HEREBY CERTIFY that the Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was filed with me on the ____ day of _____, 2011.

Miriam Lens
City Clerk, City of Hayward

By:_____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Hayward, Alameda County, California, on the ____ day of _____, 2011.

Miriam Lens
City Clerk, City of Hayward

By:_____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was filed with the County Auditor of the County of Alameda, on the _____ day of _____, 2011.

By:_____
John Nguyen, M.S.C.E.,P.E.
RCE No. 55104

SECTION I

INTRODUCTION
ENGINEER'S REPORT

CITY OF HAYWARD
MAINTENANCE DISTRICT NO. 2

FISCAL YEAR 2012

Background Information

On April 16, 2002, by Resolution No. 02-043, the City Council approved the Final Map of Tract 7317 for a 114 lot residential subdivision, with 109 single-family homes, located on the northerly side of Eden Shores Boulevard and westerly of the Union Pacific Railroad.

On November 26, 2002, by Resolution No. 02-171, the City Council approved the Final Map of Tract 7361 for a 120 lot residential subdivision, with 116 single-family homes, located on the southerly side of Eden Shores Boulevard and westerly of the Union Pacific Railroad.

On June 3, 2003, by Resolution No. 03-083, the City Council approved the Final Map for Tract 7360, for a 318 lot residential subdivision, with 309 single-family homes located on the southwesterly side of Eden Shores Drive and westerly of the Union Pacific Railroad. The additional lots in each subdivision, 27 total, will be landscaped areas, parks, wetlands or buffer areas.

Conditions of approval for Tracts No. 7317, 7360 and 7361, included provisions for construction of a water buffer channel and storm-water pretreatment pond, masonry walls, anti-predator fences, and landscaping within the proposed development area. Maintenance District No. 2 will provide a funding source to operate and maintain these improvements, including the furnishing of water and electrical energy along with debris removal, weeding, trimming and pest control spraying.

On June 24, 2003, by Resolution No. 03-102, the City Council ordered the formation of Maintenance District No. 2 to provide the funding for the operation and maintenance of these facilities.

Proposition 218 Compliance

On November 5, 1996, California voters approved Proposition 218 entitled "Right to Vote On Taxes Act," which added Articles XIIIC and XIIID to the California Constitution. While its title refers only to taxes, Proposition 218 establishes new procedural requirements for the formation and administration of assessment districts.

These new procedures stipulate that, even if assessments are initially exempt from Proposition 218, future increases in assessments must comply with the provisions of Proposition 218. However, if the increase in assessment was anticipated in the assessment formula (e.g., Consumer Price Index (CPI) increase or assessment cap) then the City would be in compliance with the provisions of Proposition 218 if the assessments did not exceed the previously approved assessment formula.

In FY 2008 the collection rate was $155.00 per parcel. From FY 2009 through FY 2011 the collection rate was reduced to $100.00 per parcel at the request of the Eden Shores Homeowners' Association (HOA) due to poor economic conditions and the fact that there were sufficient reserves available to supplement the annual operation and maintenance costs for those fiscal years. For Fiscal Year 2012, the proposed collection rate is $130.00 per parcel which is $30.00 per parcel higher than in FY 2011. Higher assessment amount is needed to cover increase in maintenance and utility costs. The collection rate needed to cover the FY 2012 operating expenses is approximately $158.07 per parcel. However, the estimate operating costs for FY 2012 contain $15,000 budgeted for pump replacement or any major repairs beyond normal operation activities. Therefore, approximately $15,000 would be used from the capital reserves to supplement the assessment revenues for FY 2012, if necessary. The proposed FY 2012 assessment is below the maximum base assessment of $772.16. If in future years, there is a need for additional funds, the collection rate may be increased up to their base maximum amount. This base assessment amount is increased annually based upon the change in the Consumer Price Index. Future increases in the collection rate up to the base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Current Annual Administration

The annual Engineer's Report includes: (1) a description of the improvements to be operated, maintained and serviced, (2) an estimated budget, and (3) a listing of the proposed collection rate to be levied upon each assessable lot or parcel.

The City of Hayward will hold a public hearing on July 26, 2011, to provide an opportunity for any interested person to be heard. At the conclusion of the public hearing, the City Council may adopt a resolution confirming the levy of assessments as originally proposed or as modified. Following the adoption of this resolution, the final Assessor's Roll will be prepared and filed with the County Auditor's office to be included on the Fiscal Year 2012 tax roll.

Payments of the assessment for each parcel will be made in the same manner and at the same time as payments are made for property taxes. All funds collected through the assessment must be placed in a special fund and can only be used for the purposes stated within this report.

SECTION II

ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF CHAPTER 26 OF PART 3 OF DIVISION 7 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA

CITY OF HAYWARD MAINTENANCE DISTRICT NO. 2

FISCAL YEAR 2012

Pursuant to Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California, and Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code, and in accordance with the Resolution of Intention, being Resolution No. 11-____, Preliminarily Approving the Engineer's Report, on June 28, 2011, by the City Council of the City of Hayward, County of Alameda, State of California, in connection with the proceedings for:

CITY OF HAYWARD
MAINTENANCE DISTRICT No. 2

Hereinafter referred to as the "District", I, John Nguyen, P.E., the duly appointed ENGINEER OF WORK, submit herewith the "Report" consisting of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements in the District. Plans and specifications for the improvements and maintenance are as set forth on the lists thereof, attached hereto, and are on file in the Office of the City Clerk of the City of Hayward, and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements, maintenance and incidental costs and expenses in connection therewith, as set forth on the lists thereof, attached hereto, and are on file in the Office of the City Clerk of the City of Hayward.

PART C: MAINTENANCE ASSESSMENT DISTRICT DIAGRAM

This part incorporates, by reference, a Diagram of the Maintenance Assessment District showing the exterior boundaries of the Maintenance Assessment District and the boundaries of any zones within the Maintenance Assessment District.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENT

This part describes the method of apportionment of assessments based upon the parcel classification of land within the Assessment District, and in proportion to the estimated benefits to be received.

PART E: PROPERTY OWNER LIST & ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements on each benefited lot or parcel of land within the Assessment District. The Assessment Roll is filed in the Office of the Hayward City Clerk.

PART A

PLANS AND SPECIFICATIONS

The facilities, which have been constructed within the City of Hayward's Maintenance District No. 2 boundaries, and those which may be subsequently constructed, will be operated, maintained and serviced and are generally described as follows:

DESCRIPTION OF IMPROVEMENTS

CITY OF HAYWARD
MAINTENANCE DISTRICT No. 2

FISCAL YEAR 2012

The following improvements are proposed to be operated, maintained and serviced in Maintenance District No. 2 for Fiscal Year 2012:

- *Water Buffer Channel;*
- *Storm-water Pre-Treatment Pond;*
- *Masonry Walls;*
- *Anti-predator Fences; and*
- *Miscellaneous Landscaping*

The operation, maintenance and servicing of these improvements include, but are not limited to: personnel; water, for irrigation and buffer replenishment; electrical energy; materials, including diesel fuel and oil, debris removal, weeding, trimming, pest control spraying, etc.

In FY 2008 the collection rate was $155.00 per parcel. From FY 2009 through FY 2011 the collection rate was reduced to $100.00 per parcel at the request of the Eden Shores Homeowners' Association (HOA) due to poor economic conditions and the fact that there were sufficient reserves available to supplement the annual operation and maintenance costs for those fiscal years. For Fiscal Year 2012, the proposed collection rate is $130.00 per parcel which is $30.00 per parcel higher than in FY 2011. Higher assessment amount is needed to cover increase in maintenance and utility costs. The collection rate needed to cover the FY 2012 operating expenses is approximately $158.07 per parcel. However, the estimate operating costs for FY 2012 contain $15,000 budgeted for pump replacement or any major repairs beyond normal operation activities. Therefore, approximately $15,000 would be used from the capital reserves to supplement the assessment revenues for FY 2012, if necessary. The proposed FY 2012 assessment is below the maximum base assessment of $772.16. If in future years, there is a need for additional funds, the collection rate may be increased up to their base maximum amount. This base assessment amount is increased annually based upon the change in the Consumer Price Index. Future increases in the collection rate up to the base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

PART B

ESTIMATE OF COST

Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code and as supplemented by the provisions of Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California provides that the total cost of operation, maintenance and servicing of the water buffer channel, water treatment pond, masonry walls, anti-predator fences and landscaping can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with these improvements can also be included.

The base assessment rate was set at $655.00 per parcel for the base year July 1, 2003 with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. On July 1, 2003, the CPI Index was set at 192.25. The most current CPI Index available at the time of this report was February 2011. The February 2011 CPI was 226.638 which translates to a 17.89% (226.638/192.25) increase since the base year. Therefore, the revised base assessment that could be levied in Fiscal Year 2012 is $772.16 per parcel, comparing to $ 749.96 in Fiscal Year 2011. Future CPI increases in the base assessment rate do not require the noticing and balloting of property owners per the requirements of Proposition 218.

The original Engineer's estimate for construction costs for Maintenance District No. 2 improvements was $1,380,000 (in 2003 dollars). This construction cost is used for establishing the base capital reserve level.

The costs for Fiscal Year 2012 are summarized on the following page. These cost estimates have been provided by the City of Hayward.

TABLE 1: COST ESTIMATE FISCAL YEAR 2012 Fund 818 - Maintenance District No. 2 - Eden Shores	
	Fiscal Year 2011 Budget
Number of Assessable Parcels	534
Beginning Balance (July 1, 2011)	$291,453.63
REVENUE	
Annual Assessment Fee (534 Assessable Parcels)	$69,420.00
County Collection Fee (1.7%)	($1,180.14)
Net Revenue	$68,239.86
Total Available	$359,693.49
EXPENDITURE	
I. MAINTENANCE & UTILITY	
I. Maintenance & Utility	
(a) **Utilities**: Irrigation water and electrical energy	$24,000.00
(b) **Maintenance Work**: Landscaping and buffer lake maintenance plus debris removal, weeding, trimming, spraying, and predator fence, steel structures, masonry wall surface maintenance	$30,500.00
(c) Pump Replacements and/or major repairs	$15,000.00
Subtotal I:	$69,500.00
II. Supplies & Services	
(a) Special Services	$2,595.00
(b) Special Services - Pre-Treatment Pond (Alameda County Flood Control)	$5,000.00
(c) Supplies: printing and postage	$135.00
Subtotal II:	$7,730.00
III. Administrative Services	
(a) Administration	$6,000.00
Subtotal III:	$6,000.00
Total Expense (Sum of I, II and II)	$83,230.00
Estimated Withdraw from Reserves, if necessary, for I.(c)	($14,990.14)
Ending Balance of Fiscal Year (June 30, 2012)	$276,463.49
RESERVE DETAIL	
(a) Required Working Capital for six months (50% of Total Expense) [1]	$41,615.00
(b) Current Working Capital Reserves [2]	$234,848.49
Anticipated Total Reserve at the end of Fiscal Year	$276,463.49
Collection per Parcel	$130.00
Base Assessment per Parcel	$772.16

NOTES:

(1) Operating reserves are needed for future fiscal years because the City does not receive the assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.

(2) In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.

PART C

MAINTENANCE ASSESSMENT DISTRICT DIAGRAM

The Assessment District Diagram for the City of Hayward's Maintenance District No. 2 (Eden Shores) is on file in the Office of the Hayward City Clerk and is incorporated in this report in Appendix "B".

A detailed description of the lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Alameda for Fiscal Year 2012.

For additional information as to the bearings, distances, monuments, easements, etc. of subject subdivisions, reference is hereby made to Final Tracts Maps No. 7317, 7360 and 7361 filed in the Office of the Recorder of Alameda County.

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code and as supplemented by the provisions of Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the operation, maintenance and servicing of water buffer channels, water treatment ponds, masonry walls, predator fences and landscaping.

Proposition 218 requires that maintenance assessments must be levied according to benefit rather than according to assessed value. In addition, Article XIIID, Section 4(a) of the California Constitution limits the amount of any assessment to the proportional special benefit conferred on the property.

Because assessments are levied on the basis of benefit, they are not considered a tax, and, therefore, are not governed by Article XIIIA of the California Constitution.

Article XIIID of the California Constitution provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways.

The properties benefiting from the operation, maintenance and servicing of water buffer channels, water treatment ponds, masonry walls, predator fences and landscaping consist of the 534 single-family residential lots located within Tracts No. 7317, 7360 and 7361.

Each of the 534 single-family residential lots receive a special benefit in that they are able to be developed because protection to the adjacent open space has been provided through the construction of these improvements. The special benefit derived by the individual parcels is indistinguishable between parcels. Therefore, all residential parcels derive the same benefit and the corresponding method of assessment for residential land uses is based on a per parcel basis.

The estimated Fiscal Year 2012 assessment revenue is $69,420.00. The collection rate for Fiscal Year 2012 will be $130.00 per parcel.

PART E

PROPERTY OWNER LIST & ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels within the City of Hayward's Maintenance District No. 2 is shown on the last equalized Property Tax Roll of the Assessor of the County of Alameda, which is hereby made a part of this report. This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll on file in the Office of the Hayward City Clerk.

The proposed collection rate and the amount for Fiscal Year 2012 apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office, are on file in the Office of the City Clerk. The description of each lot or parcel is part of the records of the Assessor of the County of Alameda and these records are, by reference, made a part of this report.

The total amount proposed to be collected for Fiscal Year 2012 is $69,420.00.

The Assessment Roll for Fiscal Year 2012 is included on the following page of this Report and is on file in the Office of the Hayward City Clerk.

APPENDIX A

VICINITY MAP

N
Ca-92
Tennyson Rd
Mission Blvd
W Tennyson Rd
W Tennyson Rd
I-880
Industrial Pky
Industrial Blvd
Hesperian Blvd
Industrial Pky W
Nimitz Fwy
Maintenance
District No. 2
Huntwood Ave
Whipple Rd
Union City Blvd
Dyer St

APPENDIX B

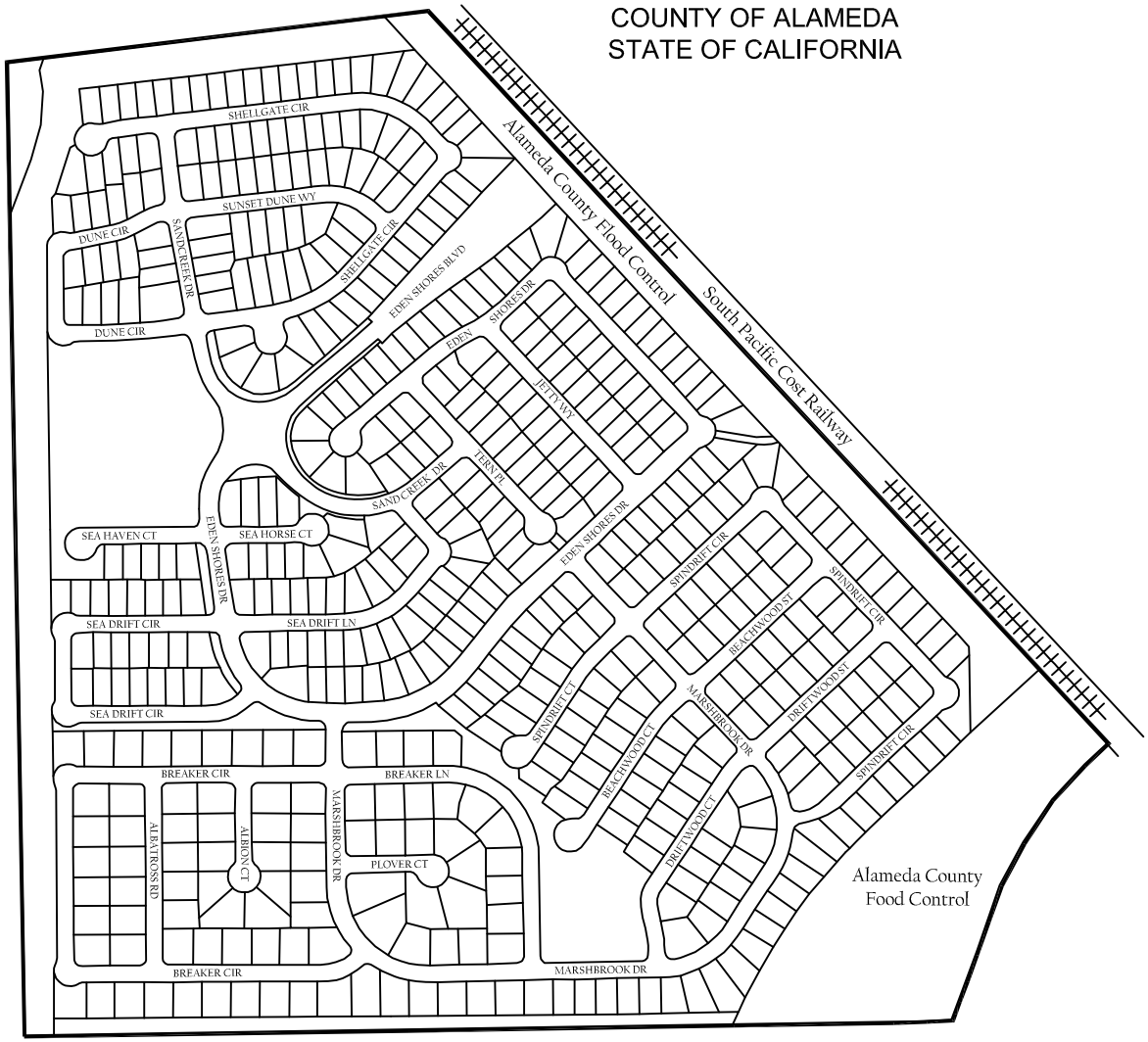
ASSESSMENT DIAGRAM

SHEET 1 OF 1

ASSESSMENT DIAGRAM
MAINTENANCE DISTRICT No. 2

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

NOT TO SCALE
N



LEGEND

NEW PARCEL BOUNDARIES

ASSESSMENT DISTRICT BOUNDARIES

PREPARED BY FRANCISCO AND ASSOCIATES, INC

N:\Hayward\FY09-10\MD_2\CADD\md2_diagram.pdf (05/05/2009 SA)

APPENDIX C

Fiscal Year 2012
ASSESSMENT ROLL

City of Hayward
Maintenance District No. 2

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
461-0037-002-00	$130.00
461-0037-003-00	$130.00
461-0037-004-00	$130.00
461-0037-005-00	$130.00
461-0037-006-00	$130.00
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461-0037-009-00	$130.00
461-0037-010-00	$130.00
461-0037-011-00	$130.00
461-0037-012-00	$130.00
461-0037-013-00	$130.00
461-0037-014-00	$130.00
461-0037-015-00	$130.00
461-0037-016-00	$130.00
461-0037-017-00	$130.00
461-0037-018-00	$130.00
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461-0037-023-00	$130.00
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461-0037-027-00	$130.00
461-0037-028-00	$130.00
461-0037-029-00	$130.00
461-0037-030-00	$130.00
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461-0037-032-00	$130.00
461-0037-033-00	$130.00
461-0037-034-00	$130.00
461-0037-035-00	$130.00
461-0037-036-00	$130.00
461-0037-037-00	$130.00
461-0037-038-00	$130.00
461-0037-039-00	$130.00
461-0037-040-00	$130.00
461-0037-041-00	$130.00
461-0037-042-00	$130.00
461-0037-043-00	$130.00
461-0037-044-00	$130.00
461-0037-045-00	$130.00
461-0037-046-00	$130.00
461-0037-047-00	$130.00
461-0037-048-00	$130.00
461-0037-049-00	$130.00
461-0037-050-00	$130.00
461-0037-051-00	$130.00
461-0037-052-00	$130.00
461-0037-053-00	$130.00

Assessor's Parcel Number	Assessment Amount
461-0037-054-00	$130.00
461-0037-055-00	$130.00
461-0037-056-00	$130.00
461-0037-057-00	$130.00
461-0037-058-00	$130.00
461-0037-059-00	$130.00
461-0037-060-00	$130.00
461-0037-061-00	$130.00
461-0037-062-00	$130.00
461-0037-063-00	$130.00
461-0037-064-00	$130.00
461-0037-065-00	$130.00
461-0037-066-00	$130.00
461-0037-067-00	$130.00
461-0037-068-00	$130.00
461-0037-069-00	$130.00
461-0037-070-00	$130.00
461-0037-071-00	$130.00
461-0037-072-00	$130.00
461-0037-073-00	$130.00
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461-0037-075-00	$130.00
461-0037-076-00	$130.00
461-0037-077-00	$130.00
461-0037-078-00	$130.00
461-0037-079-00	$130.00
461-0037-080-00	$130.00
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461-0037-082-00	$130.00
461-0037-083-00	$130.00
461-0037-084-00	$130.00
461-0037-085-00	$130.00
461-0037-086-00	$130.00
461-0037-087-00	$130.00
461-0037-088-00	$130.00
461-0037-089-00	$130.00
461-0037-090-00	$130.00
461-0037-091-00	$130.00
461-0037-092-00	$130.00
461-0037-093-00	$130.00
461-0037-094-00	$130.00
461-0037-095-00	$130.00
461-0037-096-00	$130.00
461-0037-097-00	$130.00
461-0037-098-00	$130.00
461-0037-099-00	$130.00
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461-0037-101-00	$130.00
461-0037-102-00	$130.00
461-0037-103-00	$130.00
461-0037-104-00	$130.00
461-0037-105-00	$130.00

Assessor's Parcel Number	Assessment Amount
461-0037-106-00	$130.00
461-0037-107-00	$130.00
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461-0037-110-00	$130.00
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461-0100-008-00	$130.00
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461-0100-010-00	$130.00
461-0100-011-00	$130.00
461-0100-012-00	$130.00
461-0100-013-00	$130.00
461-0100-014-00	$130.00
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461-0100-017-00	$130.00
461-0100-018-00	$130.00
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461-0100-023-00	$130.00
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461-0100-025-00	$130.00
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461-0100-027-00	$130.00
461-0100-028-00	$130.00
461-0100-029-00	$130.00
461-0100-030-00	$130.00
461-0100-031-00	$130.00
461-0100-032-00	$130.00
461-0100-033-00	$130.00
461-0100-034-00	$130.00
461-0100-035-00	$130.00
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461-0100-037-00	$130.00
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461-0100-041-00	$130.00
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461-0100-043-00	$130.00
461-0100-044-00	$130.00
461-0100-045-00	$130.00
461-0100-046-00	$130.00
461-0100-047-00	$130.00
461-0100-048-00	$130.00
461-0100-049-00	$130.00

City of Hayward
Maintenance District No. 2

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
461-0100-050-00	$130.00
461-0100-051-00	$130.00
461-0100-052-00	$130.00
461-0100-053-00	$130.00
461-0100-054-00	$130.00
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461-0100-062-00	$130.00
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461-0100-064-00	$130.00
461-0100-065-00	$130.00
461-0100-066-00	$130.00
461-0100-067-00	$130.00
461-0100-068-00	$130.00
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461-0100-073-00	$130.00
461-0100-074-00	$130.00
461-0100-075-00	$130.00
461-0100-076-00	$130.00
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461-0100-080-00	$130.00
461-0100-081-00	$130.00
461-0100-082-00	$130.00
461-0100-083-00	$130.00
461-0100-084-00	$130.00
461-0100-085-00	$130.00
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461-0101-012-00	$130.00
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461-0101-014-00	$130.00
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461-0101-021-00	$130.00
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461-0101-023-00	$130.00
461-0101-024-00	$130.00
461-0101-025-00	$130.00
461-0101-026-00	$130.00
461-0101-027-00	$130.00
461-0101-028-00	$130.00
461-0101-029-00	$130.00
461-0101-030-00	$130.00
461-0101-031-00	$130.00
461-0101-032-00	$130.00
461-0101-033-00	$130.00
461-0101-034-00	$130.00
461-0101-035-00	$130.00
461-0101-036-00	$130.00
461-0101-037-00	$130.00
461-0101-038-00	$130.00
461-0101-039-00	$130.00
461-0101-040-00	$130.00
461-0101-041-00	$130.00
461-0101-042-00	$130.00
461-0101-043-00	$130.00
461-0101-044-00	$130.00
461-0101-045-00	$130.00
461-0101-046-00	$130.00
461-0101-047-00	$130.00
461-0101-048-00	$130.00
461-0101-049-00	$130.00
461-0101-050-00	$130.00
461-0101-051-00	$130.00
461-0101-052-00	$130.00
461-0101-053-00	$130.00
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461-0101-057-00	$130.00
461-0101-058-00	$130.00
461-0101-059-00	$130.00
461-0101-060-00	$130.00
461-0101-061-00	$130.00
461-0101-062-00	$130.00
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461-0101-065-00	$130.00
461-0101-066-00	$130.00
461-0101-067-00	$130.00
461-0101-068-00	$130.00
461-0101-069-00	$130.00
461-0101-070-00	$130.00
461-0101-071-00	$130.00
461-0101-072-00	$130.00
461-0101-073-00	$130.00
461-0101-074-00	$130.00
461-0101-075-00	$130.00
461-0101-076-00	$130.00
461-0101-077-00	$130.00
461-0101-078-00	$130.00
461-0101-079-00	$130.00
461-0101-080-00	$130.00
461-0101-081-00	$130.00
461-0101-082-00	$130.00
461-0101-083-00	$130.00
461-0101-084-00	$130.00
461-0101-085-00	$130.00
461-0101-086-00	$130.00
461-0101-087-00	$130.00
461-0101-088-00	$130.00
461-0101-089-00	$130.00
461-0101-090-00	$130.00
461-0101-091-00	$130.00

City of Hayward
Maintenance District No. 2

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
461 -0101-092-00	$130.00
461 -0101-093-00	$130.00
461 -0101-094-00	$130.00
461 -0101-095-00	$130.00
461 -0101-096-00	$130.00
461 -0101-097-00	$130.00
461 -0101-098-00	$130.00
461 -0101-099-00	$130.00
461 -0101-100-00	$130.00
461 -0101-101-00	$130.00
461 -0101-102-00	$130.00
461 -0101-103-00	$130.00
461 -0101-104-00	$130.00
461 -0101-105-00	$130.00
461 -0101-106-00	$130.00
461 -0101-107-00	$130.00
461 -0101-108-00	$130.00
461 -0101-109-00	$130.00
461 -0101-110-00	$130.00
461 -0101-111-00	$130.00
461 -0101-112-00	$130.00
461 -0101-113-00	$130.00
461 -0101-114-00	$130.00
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461 -0101-116-00	$130.00
461 -0101-117-00	$130.00
461 -0101-118-00	$130.00
461 -0101-119-00	$130.00
461 -0101-120-00	$130.00
461 -0101-121-00	$130.00
461 -0101-122-00	$130.00
461 -0101-123-00	$130.00
461 -0101-124-00	$130.00
461 -0101-125-00	$130.00
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461 -0101-130-00	$130.00
461 -0101-131-00	$130.00
461 -0101-132-00	$130.00
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461 -0101-134-00	$130.00
461 -0101-135-00	$130.00
461 -0101-136-00	$130.00
461 -0101-137-00	$130.00
461 -0101-138-00	$130.00
461 -0101-139-00	$130.00
461 -0101-140-00	$130.00
461 -0101-141-00	$130.00
461 -0101-142-00	$130.00
461 -0101-143-00	$130.00

Assessor's Parcel Number	Assessment Amount
461 -0101-144-00	$130.00
461 -0101-145-00	$130.00
461 -0101-146-00	$130.00
461 -0101-147-00	$130.00
461 -0101-148-00	$130.00
461 -0101-149-00	$130.00
461 -0101-150-00	$130.00
461 -0101-151-00	$130.00
461 -0101-152-00	$130.00
461 -0101-153-00	$130.00
461 -0101-154-00	$130.00
461 -0101-155-00	$130.00
461 -0101-156-00	$130.00
461 -0101-157-00	$130.00
461 -0101-158-00	$130.00
461 -0101-159-00	$130.00
461 -0101-160-00	$130.00
461 -0101-161-00	$130.00
461 -0101-162-00	$130.00
461 -0101-163-00	$130.00
461 -0101-164-00	$130.00
461 -0101-165-00	$130.00
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461 -0101-171-00	$130.00
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461 -0102-003-00	$130.00
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461 -0102-009-00	$130.00
461 -0102-010-00	$130.00
461 -0102-011-00	$130.00
461 -0102-012-00	$130.00
461 -0102-013-00	$130.00
461 -0102-014-00	$130.00
461 -0102-015-00	$130.00
461 -0102-016-00	$130.00
461 -0102-017-00	$130.00
461 -0102-018-00	$130.00
461 -0102-019-00	$130.00
461 -0102-020-00	$130.00
461 -0102-021-00	$130.00
461 -0102-022-00	$130.00
461 -0102-023-00	$130.00
461 -0102-024-00	$130.00
461 -0102-025-00	$130.00

Assessor's Parcel Number	Assessment Amount
461 -0102-026-00	$130.00
461 -0102-027-00	$130.00
461 -0102-028-00	$130.00
461 -0102-029-00	$130.00
461 -0102-030-00	$130.00
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461 -0102-032-00	$130.00
461 -0102-033-00	$130.00
461 -0102-034-00	$130.00
461 -0102-035-00	$130.00
461 -0102-036-00	$130.00
461 -0102-037-00	$130.00
461 -0102-038-00	$130.00
461 -0102-039-00	$130.00
461 -0102-040-00	$130.00
461 -0102-041-00	$130.00
461 -0102-042-00	$130.00
461 -0102-043-00	$130.00
461 -0102-044-00	$130.00
461 -0102-045-00	$130.00
461 -0102-046-00	$130.00
461 -0102-047-00	$130.00
461 -0102-048-00	$130.00
461 -0102-049-00	$130.00
461 -0102-050-00	$130.00
461 -0102-051-00	$130.00
461 -0102-052-00	$130.00
461 -0102-053-00	$130.00
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461 -0102-056-00	$130.00
461 -0102-057-00	$130.00
461 -0102-058-00	$130.00
461 -0102-059-00	$130.00
461 -0102-060-00	$130.00
461 -0102-061-00	$130.00
461 -0102-062-00	$130.00
461 -0102-063-00	$130.00
461 -0102-064-00	$130.00
461 -0102-065-00	$130.00
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461 -0103-007-00	$130.00
461 -0103-008-00	$130.00
461 -0103-009-00	$130.00
461 -0103-010-00	$130.00
461 -0103-011-00	$130.00
461 -0103-012-00	$130.00
461 -0103-013-00	$130.00
461 -0103-014-00	$130.00
461 -0103-015-00	$130.00

City of Hayward
Maintenance District No. 2

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2012

Assessor's Parcel Number	Assessment Amount
461-0103-016-00	$130.00
461-0103-017-00	$130.00
461-0103-018-00	$130.00
461-0103-019-00	$130.00
461-0103-020-00	$130.00
461-0103-021-00	$130.00
461-0103-022-00	$130.00
461-0103-023-00	$130.00
461-0103-024-00	$130.00
461-0103-025-00	$130.00
461-0103-026-00	$130.00
461-0103-027-00	$130.00
461-0103-028-00	$130.00
461-0103-029-00	$130.00
461-0103-030-00	$130.00
461-0103-031-00	$130.00
461-0103-032-00	$130.00
461-0103-033-00	$130.00
461-0103-034-00	$130.00
461-0103-035-00	$130.00
461-0103-036-00	$130.00
461-0103-037-00	$130.00
461-0103-038-00	$130.00
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461-0103-040-00	$130.00
461-0103-041-00	$130.00
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461-0103-043-00	$130.00
461-0103-044-00	$130.00
461-0103-045-00	$130.00
461-0103-046-00	$130.00
461-0103-047-00	$130.00
461-0103-048-00	$130.00
461-0103-049-00	$130.00
461-0103-050-00	$130.00
461-0103-051-00	$130.00
461-0103-052-00	$130.00
461-0103-053-00	$130.00
461-0103-054-00	$130.00
461-0103-055-00	$130.00
461-0103-056-00	$130.00
461-0103-057-00	$130.00
461-0103-058-00	$130.00
461-0103-059-00	$130.00
461-0103-060-00	$130.00
461-0103-061-00	$130.00
461-0103-062-00	$130.00
461-0103-063-00	$130.00
461-0103-064-00	$130.00
461-0103-065-00	$130.00
461-0103-066-00	$130.00
461-0103-067-00	$130.00

Assessor's Parcel Number	Assessment Amount
461-0103-068-00	$130.00
461-0103-069-00	$130.00
461-0103-070-00	$130.00
461-0103-071-00	$130.00
461-0103-072-00	$130.00
461-0103-073-00	$130.00
461-0103-074-00	$130.00
461-0103-075-00	$130.00
461-0103-076-00	$130.00
461-0103-077-00	$130.00
461-0103-078-00	$130.00
461-0103-079-00	$130.00
461-0103-080-00	$130.00
461-0103-081-00	$130.00
Total Parcels:	534
Total Assessment:	$69,420.00

CITY OF
HAYWARD
HEART OF THE BAY

DATE: June 28, 2011

TO: Mayor and City Council

FROM: Human Resources Director

SUBJECT: Adoption of Resolutions for Paying and Reporting the Value of Employer Paid Member Contributions for City of Hayward Employee Groups to the California Public Employees Retirement System

RECOMMENDATION

That the City Council adopts the attached resolutions for paying and reporting the value of employer paid member contributions (EPMC) for the City of Hayward Council Appointed Officers, the Unrepresented Management, Human Resources and City Attorney Employees ("Unrepresented"), and the Hayward Association of Management Employees ("HAME") to the California Public Employees' Retirement System (CalPERS).

BACKGROUND/DISCUSSION

The City of Hayward contracts with CalPERS to provide retirement benefits to its employees. Based on CalPERS classifications, the City has two retirement plan groups.The two groups include a Safety Group and a Miscellaneous Group. The Miscellaneous Group further consists of several sub-groups: the Mayor and Council; Council Appointed Officers (City Manager, City Attorney, City Clerk); Unrepresented Management, Human Resources and City Attorney Employees ("Unrepresented"); Service Employees International Union, Local 1021 ("SEIU"); Hayward Association of Management Employees("HAME"); and International Federation of Professional and Technical Engineers, Local 21 ("Local 21"). The focus of this report is the amount of the employer paid employee contribution towards PERS for three sub-groups of the Miscellaneous Group only: the Council Appointed Officers, the Unrepresented Management, Human Resources and City Attorney Employees, and the members of HAME.

Government Code, Section 20691 authorizes employers to pay all or a portion of the normal contributions required to be paid by an employee. The City currently pays 7% of the employee share for all miscellaneous groups excluding the Mayor and Council and the City Manager. The Mayor and Council continue to pay the entire 8% employee contributionas they have for several years and the City Manager has paid the entire 8% employee contribution since January 2011.

CalPERS requires individual resolutions to be on file for each sub-group that reflects the amount of the employer paid member contributions if that amount is greater than zero or if it has changed for

any reason. Three sub-groups within the miscellaneous group have agreed to different terms as it relates to employer paid member contributions as part of the concessions required to balance the FY2012 budget and make the required structural change necessary to the employee benefit plans. These agreements require updated resolutions to be filed with CalPERS. The three sub-groups requiring updated resolutions are the Council Appointed Officers, the Unrepresented Employees and HAME.

As part of their employment agreements for FY 2012, the Council Appointed Officers agreed to increase their contribution from one (1) percent to the entire eight (8) percent of the employee share effective July 1, 2011. Unrepresented Employees were given the opportunity to participate in a survey of their preferences for reducing costs associated with employee salaries and benefits. Based on the responses, it was decided that effective July 1, 2011 Unrepresented Employees will increase their contribution from one (1) percent to the entire eight (8) percent of the employee share. In addition, the City and HAME have a Side Letter Agreement dated June 21, 2011 that increases the member contribution of the employee share from one (1) percent to 3.78% effective July 1, 2011. The following table summarizes the changes:

Table 1

Group	Current City PaidEmployee Contribution	Current Employee Paid Employee Contribution	City Paid Employee Contribution eff. 7/1/2011	Employee Paid Employee Contribution eff.7/1/2011
Council Appointed[1]	7%	1%	0%	8%
Unrepresented	7%	1%	0%	8%
HAME	7%	1%	4.22%	3.78%

It is necessary for the attached Resolutions to be approved by Council and filed with CalPERS to implement the changes, effective July 1, 2011.

ECONOMIC IMPACT

The changes to the employee contribution rates positively impact the Hayward community because they reduce the cost to the City associated with providing employee retirement benefits, thus increasing the long-term fiscal stability of the City.

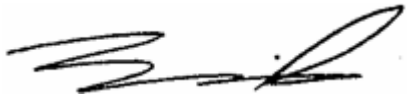
FISCAL IMPACT

The reductions to the employer paid employee PERS contributions decrease General Fund expenditures for FY2012 by approximately $450,000 and are on-going in nature, thus reflecting the type of structural change requested as part of labor discussions in the FY2012 budget preparation process.

[1] **City Manager contribution changed from 1% to 8% effective January 1, 2011**

Recommended by: Fran Robustelli, Human Resources Director

Approved by:



Fran David, City Manager

Attachments:

Attachment I:	Resolution- Council Appointed
Attachment II:	Resolution- Unrepresented
Attachment III:	Resolution- HAME

ATTACHMENT I

HAYWARD CITY COUNCIL

RESOLUTION NO. 11-

INTRODUCED BY COUNCIL MEMBER _____

RESOLUTION FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR THE CITY OF HAYWARD COUNCIL APPOINTED OFFICERS

WHEREAS, the governing body of the City of Hayward has the authority to implement Government Code Section 20636 (c) (4) pursuant to Section 20691;

WHEREAS, the governing body of the City of Hayward has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer, and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the City of Hayward of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the City of Hayward has identified the following conditions for the purpose of its election to pay EPMC;

- This benefit shall apply to all employees who are Council Appointed Officers.

- This benefit shall consist of paying zero (0) percent of the normal contributions as EPMC, and reporting the same percent (value) of compensation earnable (excluding Government Code Section 20636(c)(4)) as additional compensation.

- The effective date of this resolution shall be July 1, 2011.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the City of Hayward elects to pay and report the value of EPMC, as set forth above.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2011

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

ATTACHMENT I

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 11-

INTRODUCED BY COUNCIL MEMBER _____

RESOLUTION FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR THE CITY OF HAYWARD UNREPRESENTED MANAGEMENT, HUMAN RESOURCES & CITY ATTORNEY EMPLOYEES

WHEREAS, the governing body of the City of Hayward has the authority to implement Government Code Section 20636 (c) (4) pursuant to Section 20691;

WHEREAS, the governing body of the City of Hayward has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer, and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the City of Hayward of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the City of Hayward has identified the following conditions for the purpose of its election to pay EPMC;

- This benefit shall apply to all employees who are Unrepresented Management, Human Resources and City Attorney Employees.

- This benefit shall consist of paying zero (0) percent of the normal contributions as EPMC, and reporting the same percent (value) of compensation earnable (excluding Government Code Section 20636(c)(4)) as additional compensation.

- The effective date of this resolution shall be July 1, 2011.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the City of Hayward elects to pay and report the value of EPMC, as set forth above.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 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 of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 11-

INTRODUCED BY COUNCIL MEMBER _____

RESOLUTION FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR THE CITY OF HAYWARD HAYWARD ASSOCIATION OF MANAGEMENT EMPLOYEES (HAME)

WHEREAS, the governing body of the City of Hayward has the authority to implement Government Code Section 20636 (c) (4) pursuant to Section 20691;

WHEREAS, the governing body of the City of Hayward has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer, and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the City of Hayward of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the City of Hayward has identified the following conditions for the purpose of its election to pay EPMC;

- This benefit shall apply to all employees in the HAME Bargaining Unit.
- This benefit shall consist of paying 4.22% of the normal contributions as EPMC, and reporting the same percent (value) of compensation earnable (excluding Government Code Section 20636(c)(4)) as additional compensation.

- The effective date of this resolution shall be July 1, 2011.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the City of Hayward elects to pay and report the value of EPMC, as set forth above.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 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 of the City of Hayward

CITY OF
HAYWARD
HEART OF THE BAY

____7____

DATE: June 28, 2011

TO: Mayor and City Council

FROM: Human Resources Director

SUBJECT: Agreement with Wells Fargo Insurance Services, USA, Inc. for Group Insurance Broker and Advisory Services and Inclusion of the City of Hayward with the Wells Fargo Municipality Pool for Delta Dental Coverage

RECOMMENDATION

That the City Council adopts the attached Resolutions:

1. Authorizing the City Manager to extend an agreement with Wells Fargo Insurance Services, USA, Inc. ("Wells Fargo") for group insurance broker and advisory services, and;
2. Authorizing the City Manager to enter into an agreement with Wells Fargo Insurance Services, USA, Inc. for dental coverage for City of Hayward ("City") employees through the Wells Fargo Municipality Pool.

BACKGROUND

The City provides a competitive package of non-medical benefits for its qualified employees and their eligible dependents as agreed upon in the applicable Resolutions and Memoranda of Understanding. Medical benefits are provided through CalPERS and are separately administered as required by the Public Employees' Medical and Hospital Care Act (PEMHCA).

To administer the non-medical benefit plans in the most cost effective and efficient manner, the City requires the services of a group insurance broker and advisor to assist with its benefit programs by providing special services and the advice of specially trained personnel. In 2008, the City solicited proposals through a competitive bid process for group insurance broker services. Wells Fargo was selected to provide the broker services for the non-medical benefits for a three year term.

The brokerage services did not include the administrative services necessary for the City of Hayward's self- insured plans. The City of Hayward is fully insured for vision, life, and disability and self-insured for dental coverage. For a self-insured plan, the City pays for actual services its employees receive versus paying monthly insurance premiums for a specific coverage level based on enrollment status. To contain costs and essentially spread the risk associated with claims amongst a larger group of participants, as well as to take advantage of group discounts, self-insured

municipalities often select an administrator and join a pool that includes multiple municipalities. The City of Hayward currently contracts with the Dublin Group and is a member of its pool, which provides Delta Dental coverage. The City pays the Dublin Group 10.7% of the billed services as payment for its administrative services. This is separate from brokerage services.

The agreement with the Dublin Group (the dental plan administrator) expired on December 31, 2010 and the Wells Fargo (the City's benefits broker) agreement expires on June 30, 2011. Over the past few months, staff has been working with Wells Fargo to combine brokerage services and administrative services for the self-insured dental plan with one vendor to reduce administrative costs to the City while expandingand improving technical benefits services, all with no additional brokerage fees and a reduction in administrative fees for the City.

DISCUSSION

The City of Hayward is projecting budget deficits of $20 million in FY2012 and faces a growing deficit over the next ten years. As part of an effort to reduce costs associated with employee salaries and benefits, staff extensively researched alternatives to administering employee benefit programs. Additionally, as part of the budget reduction effort, Human Resources eliminated one (1) position. To minimize the adverse impact of losing a position, staff reached out to Wells Fargo for assistance with its benefit administration responsibilities.

As part of combining brokerage and administrative services and extending the agreement, Wells Fargo will offer the City many additional services at no additional charge and include: 1) online employee access to non-medical benefit providers, which allows employees to add and delete dependents and coordinate services; 2) administration of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA); 3) assistance with open enrollment events and processing of forms; 4) enhanced technical assistance and research related to redesign of employee benefit programs, including support to the negotiation team; and 5) online compliance training modules such as"Unlawful Harassment Training" as required by AB 1825.

The reduction of administrative fees involves expanding the partnership with Wells Fargo and includes moving administration of the dental plan from the Dublin Pool to the Wells Fargo Municipality Pool. A study of the City's current dental program usage data for calendar year 2010 was analyzed and various brokers and coverage providers were surveyed. After conducting extensive research of the market, it was identified that the City could reduce the costs associated with administering its Delta Dental plan by partnering with Wells Fargo and joining the Municipality pool.

ECONOMIC IMPACT

The proposed agreement with Wells Fargo positively impacts the Hayward community because it reduces costs associated with administering non-medical employee benefits, while maintaining competitive and quality benefit options for City of Hayward employees and increasing administrative assistance for the Human Resources function at no additional cost.

FISCAL IMPACT

The City currently pays the Dublin Group an administrative fee of 10.7% of the paid claims for Delta Dental benefits. Through the Wells Fargo Municipality Pool, the administrative fee is 9.3% of the paid claims for the same services. For example, during calendar year 2010, the total claims paid were $1,188,712 and the City paid the Dublin Group $127,193. As a member of the Wells Fargo Municipality Pool, the City would have paid $110,550 for the year and saved $16,643 (Table 1). Wells Fargo has agreed to the 9.3% rate through June 30, 2014. By extending the agreement with Wells Fargo through June 30, 2014 and joining the Municipality Pool for Delta Dental benefits, the City will save approximately $49,929 over the three year contract period.

Table 1

Month	#Claims	Claims Paid	Dublin Admin 10.7%	WF Admin 9.3%	Difference
Jan-10	406	$105,466	$11,285	$9,808	$1,477
Feb-10	410	$93,020	$9,953	$8,651	$1,302
Mar-10	356	$85,844	$9,185	$7,983	$1,202
Apr-10	496	$117,137	$12,534	$10,894	$1,640
May-10	420	$99,065	$10,600	$9,213	$1,387
Jun-10	349	$69,332	$7,419	$6,448	$971
Jul-10	464	$102,463	$10,964	$9,529	$1,435
Aug-10	452	$110,889	$11,865	$10,313	$1,552
Sep-10	525	$147,571	$15,790	$13,724	$2,066
Oct-10	392	$91,056	$9,743	$8,468	$1,275
Nov-10	322	$66,452	$7,110	$6,180	$930
Dec-10	417	$100,417	$10,745	$9,339	$1,406
Total	5009	$111,887	$127,193	$110,550	$16,643

Prepared and Recommended by: Fran Robustelli, Human Resources Director

Approved by:

Fran David, City Manager

Attachments:
Attachment I: Resolution to Extend Wells Fargo Agreement
Attachment II: Resolution to Join Municipality Pool

ATTACHMENT I

HAYWARD CITY COUNCIL

RESOLUTION NO. 11-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXTEND AN AGREEMENT WITH WELLS FARGO INSURANCE SERVICES, USA, INC. FOR GROUP INSURANCE BROKER AND ADVISORY SERVICES

WHEREAS, the City of Hayward is self-insured and provides dental; vision; employee assistance; life insurance; short and long-term disability and voluntary insurance coverage to its employees and their eligible dependents and requires the services of a group insurance broker and advisor to assist with regards to its group benefit programs; and

WHEREAS, since 2008 the City has contracted with Wells Fargo Insurance Services, USA, Inc. (Wells Fargo) for group insurance broker and advisory services and the current agreement expires on June 30, 2011; and

WHEREAS, Wells Fargo has met the contractual terms in a satisfactory manner and staff recommends extending the agreement for a three year period ending on June 30, 2014.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward does hereby authorize and direct the City Manager to extend the agreement with Wells Fargo Insurance Services USA, Inc. for group insurance broker and advisory services for a three year period, ending on June 30, 2014 in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 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 of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 11-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WELLS FARGO INSURANCE SERVICES, USA, INC. FOR DENTAL COVERAGE TO CITY OF HAYWARD EMPLOYEES THROUGH THE WELLS FARGO MUNICIPALITY POOL

WHEREAS, the City of Hayward is self-insured and provides Delta dental benefits to its employees and their eligible dependents and requires the services of a group insurance broker and advisor to assist with regards to its group benefit programs; and

WHEREAS, the City of Hayward currently contracts with the Dublin Group to provide the Delta Dental coverage administration at a cost of 10.7% of claims paid;

WHEREAS, staff researched the market and determined that the City could reduce the costs associated with providing Delta Dental to its employees by joining the Wells Fargo Municipality Pool at a cost of 9.3% of claims paid for its administrative services, effective July 1, 2011; and

WHEREAS, the City and Wells Fargo have negotiated an agreement that will preserve the 9.3% rate through June 30, 2014.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward does hereby authorize and direct the City Manager to enter into an agreement with Wells Fargo Insurance Services USA, Inc. for administration of its Delta dental coverage employee plan and join the Wells Fargo Municipality Pool, effective July 1, 2011.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 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 of the City of Hayward

CITY OF
HAYWARD
HEART OF THE BAY

DATE: June 28, 2011

TO: Redevelopment Agency Chair and Board Members

FROM: Assistant City Manager/Interim Redevelopment Agency Director

SUBJECT: Authorization for the Executive Director to Negotiate and Execute a Contract with TRC Solutions, Inc. (TRC), and to Appropriate Funds for Additional Phase II Investigation of the Residual Burbank School Site and to Prepare a Removal Action Completion Report (RAC)

RECOMMENDATION

That the Agency Board adopts the attached resolutions:

1. Authorizing the Executive Director to negotiate and execute a contract with TRC Solutions, Inc. (TRC) in an amount not to exceed $62,000 for additional Phase II environmental investigation of the Residual Burbank School Site located at 353 B Street, and to prepare a Removal Action Completion Report (RAC) (Attachment I); and
2. Amending the Redevelopment Budget Resolution for Fiscal Year 2011, relating to an appropriation of funds from the Agency's Fund 451, for the professional services to be performed by TRC. (Attachment II)

BACKGROUND

TRC has conducted two investigations of the site, in 2006 and more recently in March 2011. Results of both investigations found elevated levels of arsenic, lead, and /or mercury that exceed residential California Human Health Screening Levels (CHHSLs) and/or Environmental Screening Levels (ESLs). In conjunction with the sale of the Residual Burbank School Site to Urban Dynamic, LLC, TRC will conduct additional sampling, develop and implement a soil removal strategy, and obtain clearance from the Department of Toxic Substance Control (DTSC).
A map of Residual Burbank School Site property is included as Attachment III.

DISCUSSION

In March 2011, TRC conducted follow-up surface soil sampling at the site based on the previously identified surface soil issues of arsenic, lead, and pesticides to help better define the scope of removal and provide the necessary data required by a disposal facility accepting soil removed from the site. The study identified four locations that contain arsenic, lead, and/or mercury, which exceed

approved levels for residential communities. The proposed remediation efforts will include soil removal in the four locations. The size of each location is approximately 50 feet by 50 feet by .5 feet to 1 foot deep. Upon completion of the soil removal, TRC will prepare a Removal Action Completion (RAC) Report for submission to the Department of Toxic Substance Control (DTSC) for regulatory approval. TRC will work with the City to obtain a "No Further Action" (NFA) certification letter from DTSC.

TRC expects to receive the NFA certification letter no later than November 1, 2011. This extended time-frame allows time for DTSC to issue a NFA certification letter. While this time-frame is longer that staff had originally planned, it allows for clearance from DTSC prior to the approval of the Final Map for the residual Burbank site scheduled for November 30, 2011.

ECONOMIC IMPACT

Urban Dynamics has offered to purchase the site for $4,000,000 for the development of fifty-seven single family homes; however, removal of the contaminated soil conditions must be remediated prior to the land transfer. The sale of the Residual Burbank Site to Urban Dynamic will occur when the final map is approved, and the NFA certification letter from DTSC is received.

FISCAL IMPACT

TRC's estimated fees for the following services are: $44,500 for soil removal action; $14,500 for Removal Action Completion Report preparation; $3,000 for Regulatory Negotiations, with the total contract amount not to exceed $62,000. Staff anticipates the Redevelopment Operating Fund 451 will have a FY2011 year-end balance in excess of $2,000,000 and there is sufficient unencumbered balance to sustain this appropriation. As part of the Purchase and Sale Agreement for the property with Urban Dynamic, LLC, the developer will reimburse the Agency for the cost of the remediation.

Original estimates for remediation of the site were $250,000; based on updated soils reports the proposed $62,000 remediation cost is much lower than originally anticipated. Although this property was transferred to the City in March 2011, the Cooperation Agreement executed between the City and the Redevelopment Agency in January 2011 allows the Agency to pledge funds to assist the City in execution of projects that carry out the "objectives and purposes of the Redevelopment Plan and Implementation Plan." The environmental remediation work and eventual sale of the residual Burbank site is a key project that furthers the goals and objectives of the City's Redevelopment Plan. Therefore, it is appropriate for the Agency to expend funds and enter into this contract.

PUBLIC CONTACT

No public contact with regard to environmental remediation of the site has occurred.

NEXT STEPS

Staff will enter into a contract with TRC for the proposed scope of work presented by TRC.

Prepared by: Gloria Ortega, Redevelopment Project Manager

Recommended by: Kelly McAdoo Morariu, Assistant City Manager/Interim Redevelopment Agency Director

Approved by:

_____

Fran David, City Manager

Attachments:

Attachment I: Resolution for Contract Execution
Attachment II: Resolution for Budget Amendment
Attachment III: Residual Burbank School Site Property

REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD

RESOLUTION NO. RA-_____

Introduced by Agency _____

AUTHORIZATION FOR THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A CONTRACT WITH TRC SOLUTIONS, INC. (TRC), AND TO APPROPRIATE FUNDS FOR ADDITIONAL PHASE II INVESTIGATION OF THE RESIDUAL BURBANK SCHOOL SITE AND TO PREPARE A REMOVAL ACTION COMPLETION REPORT (RAC)

BE IT RESOLVED by the Redevelopment Agency of the City of Hayward that the Executive Director is hereby authorized and directed to negotiate and execute a professional services agreement with TRC Solutions, Inc., and to appropriate funds for services related to additional Phase II Investigations of the Residual Burbank School site and to prepare a Removal Action Completion Report not to exceed $62,000 in a form to be approved by the General Counsel.

HAYWARD, CALIFORNIA_____, 2011

ADOPTED BY THE FOLLOWING VOTE:

AYES: AGENCY MEMBERS:
CHAIR:

NOES: AGENCY MEMBERS:

ABSTAIN: AGENCY MEMBERS:

ABSENT: AGENCY MEMBERS:

ATTEST:_____
Secretary of the Redevelopment Agency
of the City of Hayward

APPROVED AS TO FORM:

_____
General Counsel

REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD

RESOLUTION NO. RA _____

Introduced by Agency Member _____

RESOLUTION AMENDING RESOLUTION RA 10-11, AS AMENDED, THE REDEVELOPMENT BUDGET RESOLUTION FOR FISCAL YEAR 2011, RELATING TO AN APPROPRIATION OF FUNDS FROM THE REDEVELOPMENT AGENCY'S FUND 451, FOR PROFESSIONAL SERVICES TO BE PERFORMED BY TRC, SOLUTIONS, INC.

BE IT RESOLVED by the Agency Board of the Redevelopment Agency of the City of Hayward that Resolution No. RA 10-11, as amended, the Budget Resolution for fiscal year 2011, is hereby further amended by approving an appropriation of $62,000 for professional services to be rendered by TRC Solutions, Inc. from the Redevelopment Agency Fund, Fund 451.

HAYWARD, CALIFORNIA _____, 2011

ADOPTED BY THE FOLLOWING VOTE:

AYES: AGENCY MEMBERS:
CHAIR:

NOES: AGENCY MEMBERS:

ABSTAIN: AGENCY MEMBERS:

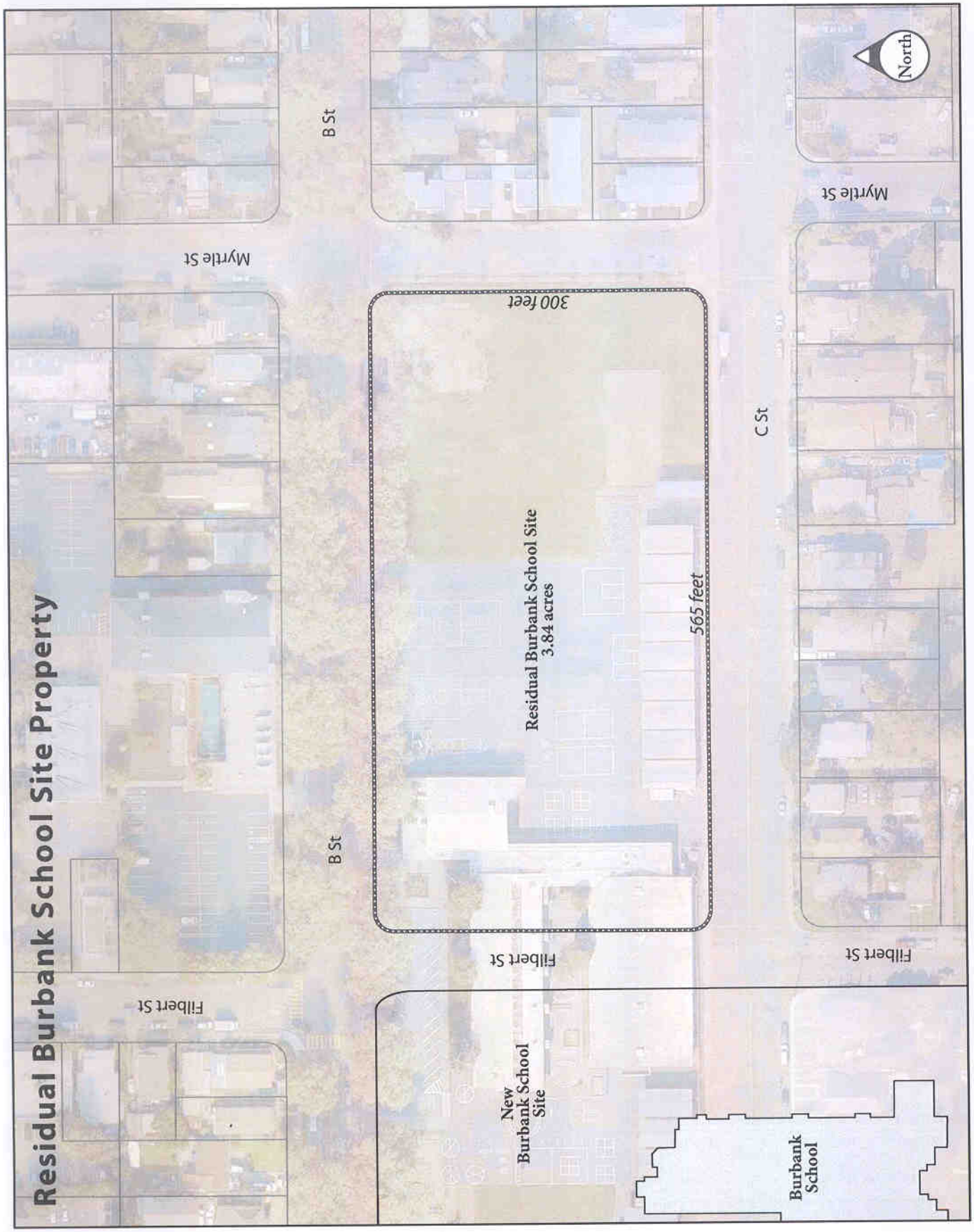
ABSENT: AGENCY MEMBERS:

ATTEST:

_____
Secretary of the Redevelopment Agency
of the City of Hayward

APPROVED AS TO FORM:

_____
General Counsel


Residual Burbank School Site Property
Myrtle St
B St
Filbert St
300 feet
Residual Burbank School Site
3.84 acres
565 feet
C St
Myrtle St
Filbert St
North
New
Burbank School
Site
Burbank
School

CITY OF
HAYWARD
HEART OF THE BAY

____9_____

DATE: June 28, 2011

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Election of Mayor Pro Tempore

RECOMMENDATION

That the City Council elects the Mayor Pro Tempore for FY2012.

BACKGROUND

It is the Council's policy to elect the Mayor Pro Tempore to perform the duties of the Mayor during her/his absence or disability. The current term is based on the fiscal year of July 1, 2011 through June 30, 2012. Below is the pertinent excerpt from the City Council Handbook. Attachment II is a list of members who have previously served as Mayor Pro Tempore.

Mayor Pro Tempore

In even number years, the Council shall elect the Mayor Pro Tempore following the installation of those newly elected Council Members. The Mayor Pro Tempore shall serve at the pleasure of the Council for the term of one year, and shall be elected and removed by the affirmative votes of at least five (5) members of Council.

In odd years, the Council Member with the most seniority as a Council Member, who has not previously served as Mayor Pro Tempore shall be elected. In the event two Council Members begin service in the same year, the Council Member with the highest number of votes will serve as Mayor Pro Tempore. (See City Council Minutes, 4/28/92)

Prior to being elected as Mayor Pro Tempore, a Council Member shall have served at least two years on the Council. The term of the Mayor Pro Tempore shall be based on the fiscal year of July 1 to June 30. (Resolution 98-120 and Council Minutes, 6/26/2001)

The Mayor Pro Tempore shall perform the duties of the Mayor during her/his absence or disability. (Sec. 605, City Charter)

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:

Fran David, City Manager

Attachments:

Attachment I Resolution for Mayor Pro Tempore
Attachment II Mayor Pro Tempore List

ATTACHMENT I

HAYWARD CITY COUNCIL

RESOLUTION NO. 11-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE ELECTION OF MAYOR PRO TEMPORE OF THE CITY OF HAYWARD FOR 2011-2012

WHEREAS, the City Council conducted an election to select the Mayor Pro Tempore on June 28, 2011.

BE IT RESOLVED by the City Council of the City of Hayward that it hereby elects Council Member _____ as Mayor Pro Tempore of the City of Hayward, from July 1, 2011 through June 30, 2012.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2011

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Quirk

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

MAYOR PRO TEMPORE

COUNCILMEMBER	RESOLUTION	DATE
William Ward	92-100	04/28/92
Nicholas Randall	93-084	04/20/93
Doris Rodriquez	94-069	04/19/94
Joseph Hilson	95-71	04/18/95
Ron Hulteen	96-067	04/02/96
Olden Henson	97-063	05/13/97
Matt Jimenez	98-122	06/30/98
William Ward	99-112	06/22/99
Joseph Hilson	00-043	Term 4/04/00 thru 6/30/01
Kevin Dowling	01-101, adopted 6/26/01	Term 7/1/01 thru 6/30/02
Doris Rodriquez	02-093, adopted 6/25/02	Term 7/1/02 thru 6/30/03
Olden Henson	03-117, adopted 7-15-03	Term 7/1/03 thru 6/30/04
Matt Jimenez	04-106, adopted 6-22-04	Term 7/1/04 thru 6/30/05
Matt Jimenez	05-089, adopted 6-28-05	Term 7/1/05 thru 6/30/06
Barbara Halliday	06-091, adopted 7-11-06	Term 7/1/06 thru 6/30/07
Bill Quirk	07-105, adopted 7/10/07	Term 7/1/07 thru 06/30/08
Kevin Dowling	08-109, adopted 7/8/08	Term 7/1/08 thru 06/30/09

MAYOR PRO TEMPORE

COUNCILMEMBER	RESOLUTION	DATE
Olden Henson	09-104, adopted 6/30/09	Term 7/1/09 thru 6/30/10
Francisco Zermeño	10-119, adopted 7/13/10	Term 7/1/10 thru 6/30/11

CITY OF
HAYWARD
HEART OF THE BAY

DATE: June 28, 2011

TO: Mayor and City Council
Housing Authority Board Members

FROM: Assistant City Manager/Interim Housing Authority Director

SUBJECT: Authorization of Inter-fund Transfer in Connection with Assignment of First-Time Homebuyer Down Payment Assistance Program Loans from the City to the Housing Authority

RECOMMENDATION

That the City Council and the Housing Authority adopt the attached resolutions authorizing and accepting, respectively, an inter-fund transfer and assignment of First-Time Homebuyer Down Payment Assistance Program Loans from the City to the Housing Authority.

BACKGROUND

On January 25, 2011, the Redevelopment Agency (the Agency) Board and the City Council authorized the Interim Executive Director and City Manager, respectively, to negotiate and execute cooperation and loan agreements between the City and the Agency (the Agency). On that date, the Housing Authority (HA) Board and the Agency Board also authorized like agreements between the Agency and the HA. These agreements have allowed inter-agency fund and property transfers to ensure that Agency funding commitments are met and that ongoing Agency projects and programs continue to be implemented in case State actions to eliminate Redevelopment Agencies become effective.

DISCUSSION

The cooperation agreements allow inter-agency transfer of loans made with Low and Moderate-Income Housing (Low-Mod) funds under different projects and programs, including the First-Time Homebuyer Down Payment Assistance Program (FTHB or Program). The FTHB program was originally approved in 1993. Since then, almost 246 loans have been provided to moderate-income homebuyers. The combined amount in outstanding loans is approximately $2,261,000.

Even though the Program is funded with Low-Mod funds, since its inception, the Program loan documents designated the City as the Program administrator. As such, the City (not the Agency or Housing Authority) was a party to the Program loan documents. Because of this, Council action is

needed to assign the Program loans and associated funding to the Housing Authority. This will ensure that the appropriate body (the Housing Authority) has control over both the loan agreements and the associated funding.

ECONOMIC IMPACT

The assignment of the FTHB Program loans from the City to the HA and the subsequent inter-fund transfer will allow continued implementation of an important program aimed at furthering the City's Housing Element goal of achieving a higher homeownership rate.

FISCAL IMPACT

The resolutions following this report approve an assignment of existing Program loans (and an inter-fund transfer) to the City and acceptance of the assignment by the HA only and, therefore, Council and Authority Board action associated with these resolutions does not have a budget impact.

NEXT STEPS

Upon Council approval, staff will assign the Program loans to the HA and execute the required inter-fund transfer. Program loan documents have been modified to designate the HA as the Program administrator for the purpose of providing future loans.

Prepared by: Omar Cortez, Housing Development Specialist

Recommended by: Kelly McAdoo Morariu, Assistant City Manager/Interim Housing Authority Director

Approved by:

Fran David, City Manager/Executive Director

Attachments:

Attachment I: City Resolution Authorizing Assignment of FTHB Loans to HA
Attachment II: Housing Authority Resolution Authorizing Acceptance of FTHB Loans from City

ATTACHMENT I

HAYWARD CITY COUNCIL

RESOLUTION NO. 11-

Introduced by Council Member _____

RESOLUTION AUTHORIZING INTERFUND TRANSFER IN CONNECTION WITH ASSIGNMENT OF FIRST-TIME HOMEBUYER DOWN PAYMENT ASSISTANCE PROGRAM LOANS TO THE HOUSING AUTHORITY

BE IT RESOLVED, the City Council authorizes and directs the City Manager to take any action and execute any documents as may be necessary to cause an inter-fund transfer in connection with the assignment of First-Time Homebuyer Down Payment Assistance Program loans to the Housing Authority.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 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 of the City of Hayward

ATTACHMENT II

HOUSING AUTHORITY OF THE CITY OF HAYWARD

RESOLUTION NO. HA 11-

Introduced by Commissioner _____

RESOLUTION AUTHORIZING ACCEPTANCE OF ASSIGNMENT AND SUBSEQUENT INTERFUND TRANSFER OF FIRST-TIME HOMEBUYER DOWN PAYMENT ASSISTANCE PROGRAM LOANS FROM THE CITY

BE IT RESOLVED, the Board of the Housing Authority of the City of Hayward authorizes and directs the Housing Authority Executive Director to take any action and execute any documents as may be necessary to accept the assignment and subsequent inter-fund transfer of First-Time Homebuyer Down Payment Assistance Program loans from the City.

HAYWARD, CALIFORNIA _____, 2011

ADOPTED BY THE FOLLOWING VOTE:

AYES: COMMISSION MEMBERS:
CHAIR:

NOES: COMMISSION MEMBERS:

ABSTAIN: COMMISSION MEMBERS:

ABSENT: COMMISSION MEMBERS:

ATTEST: _____
Secretary of the Housing Authority
of the City of Hayward

APPROVED AS TO FORM:

_____
Counsel of the Housing Authority
of the City of Hayward

CITY OF
HAYWARD
HEART OF THE BAY

DATE: June 28, 2011

TO: Redevelopment Agency Board Chair and Members

FROM: Assistant City Manager/Interim Redevelopment Agency Director
Director of Public Works

SUBJECT: Approval of Redevelopment Agency Budget Transfer of $450,000 to Capital Improvement Program Budget, Street System Improvement Fund, for Transportation for Livable Communities Grant Matching Funds

RECOMMENDATION

That the Agency Board approves the attached Resolution (Attachment I) authorizing a transfer of $450,000 from the Agency Operating Budget to the Capital Improvement Program (CIP) budget to provide local matching funds for the Transportation for Livable Communities (TLC) grant for the South Hayward BART Transit Oriented Development project.

BACKGROUND AND DISCUSSION

In the spring of 2009, the City, Agency, Eden, and a for profit development team, Wittek Development, LLC and Montana Properties, Inc. (collectively, "Wittek & Montana"), applied for State Department of Housing & Community Development (HCD) Proposition 1-C Bond "Round II" Infill Infrastructure Grant and Transit Oriented Development Housing Program Funds (the "HCD Funds"). The City and its partners were awarded HCD funds totaling $47 million, which were designated to finance the South Hayward BART Transit Oriented Development ("TOD Project").

The TOD Project entails a mixed-use project at the South Hayward BART Station on both sides of Dixon Street, consisting of 788 multi-family residential units (both market rate and affordable), retail space, and a BART parking garage. In 2009, it was contemplated that the Agency would provide up to $19.8 million to the overall Project, including up to $7.1 million in Low and Moderate Income Housing Funds for the affordable housing included in the TOD Project and up to $12.7 million for infrastructure and site improvements.

In January 2011, Eden and Wittek & Montana (jointly “the Developers”) re-phased the South Hayward BART Transit Oriented Development and advised that "Phase 1" of the Project would include 151 affordable units (65 senior units and 86 family units) and 203 market-rate rental units. A work session with Council was held on March 8, 2011 to explain the reasons for the rephasing. The Planning Director approved a minor modification to the approved Preliminary

Development Plan on June 8, 2011 and filed a Notice of Determination with respect to such approval on June 9, 2011.

As part of the original financing plan for the South Hayward BART Transit Oriented Development project, staff applied to the Metropolitan Transportation Commission (MTC) for a TLC grant to help fund access improvements both along Dixon Street and on the BART station parcel. The City was originally awarded a $3.1 million grant and is required to construct the improvements by 2013. The grant also required a 20% local match. At the time of the initial grant award, staff assumed that the local match would come from the City's RDA contribution to the overall development, which was originally planned to be approximately $12 million. If not funded by a TLC Grant, these improvements would have largely been the responsibility of the developer.

Once the project was re-phased in March 2011, it was obvious that the original project with most of the improvements on the redeveloped BART site could not be completed on the required timeline. As such, staff requested a revision in the TLC grant project scope so that the revised scope would only address improvements on Dixon St from Tennyson to Valle Vista. The MTC approved that revision and reduced the amount of the grant award from $3.1 million to $2.25 million; thus, the local match now becomes $450,000. Public Works staff intends to come to Council in July to approve a consultant contract for the design of the project. In order to ensure that the local match funds are available, staff requests that $450,000 be transferred from the estimated FY2011 RDA fund balance to the Street System Improvement Fund in the CIP for use when the project is constructed next year.

ENVIRONMENTAL REVIEW

Staff has determined that the transfer of funds as contemplated in this report is not considered a project subject to review under the California Environmental Quality Act. Prior to the award of the construction contract for the improvements authorized under the TLC grant, staff will complete any necessary environmental review.

FISCAL IMPACT

Per the TLC grant requirements, the City is required to provide a 20% local match for the grant funds awarded. The anticipated grant award has been revised to $2.25 million and the local match is now $450,000. Staff recommends utilizing remaining funds in the FY2011 Redevelopment Operating Fund to cover this local match requirement. Staff anticipates the Redevelopment Operating Fund 451 will have a FY2011 year-end balance in excess of $2,000,000 and there is sufficient unencumbered balance to sustain this appropriation.

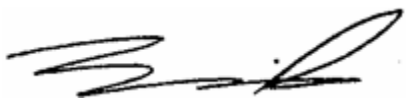
This is a project that furthers the efforts of the Redevelopment Implementation Plan and an Agency contribution was originally contemplated as part of the South Hayward BART TOD project. By appropriating Redevelopment funds from the current fiscal year, the local match requirement will be met and staff will not need to contemplate other City funding sources for this match,

NEXT STEPS

July 2011	Consultant Contract awarded for project and design begins
Fall 2012	Anticipated start of construction

Prepared and Recommended by:
Kelly McAdoo Morariu, Assistant City Manager/Interim Redevelopment Agency Director
Robert Bauman, Public Works Director

Approved by:



_____
Fran David, City Manager

Attachments:

Attachment I:	Resolution Authorizing Transfer of Funds from Redevelopment Agency Budget to CIP Budget

ATTACHMENT I

REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD

RESOLUTION NO. RA _____

Introduced by Agency Member _____

RESOLUTION AMENDING RESOLUTION RA 10-11, AS AMENDED, THE REDEVELOPMENT BUDGET RESOLUTION FOR FISCAL YEAR 2011, RELATING TO A TRANSFER OF FUNDS FROM THE REDEVELOPMENT AGENCY, FUND 451, TO THE STREET SYSTEM IMPROVEMENT FUND, FUND 413, TO FUND THE LOCAL MATCH REQUIREMENT FOR TRANSPORTATION FOR LIVABLE COMMUNITIES GRANT AWARD

BE IT RESOLVED by the Agency Board of the Redevelopment Agency of the City of Hayward that Resolution No. RA 10-11, the Budget Resolution for Fiscal Year 2011, as amended, is hereby further amended by approving a transfer of $450,000 from the Redevelopment Agency Fund, Fund 451, to the Street System Improvement Fund, Fund 413, to cover the local match requirement for the Transportation for Livable Communities grant award related to improvements near the proposed South Hayward BART Transit-Oriented Development project.

HAYWARD, CALIFORNIA _____, 2011

ADOPTED BY THE FOLLOWING VOTE:

AYES: AGENCY MEMBERS:
CHAIR:

NOES: AGENCY MEMBERS:

ABSTAIN: AGENCY MEMBERS:

ABSENT: AGENCY MEMBERS:

ATTEST:

_____
Secretary of the Redevelopment Agency
of the City of Hayward

APPROVED AS TO FORM:

_____
General Counsel

CITY OF
HAYWARD
HEART OF THE BAY

___12____

DATE: June 28, 2011

TO: Mayor and City Council

FROM: Assistant City Manager/Interim Redevelopment Agency Director

SUBJECT: Downtown Business Improvement Area Consideration of Annual Levy

RECOMMENDATION

That the City Council holds a public hearing to take testimony regarding the proposed 2012 levy, and that the City Council subsequently adopts the attached resolution (Attachment I) authorizing the levy and collection of assessments within the Downtown Business Improvement Area (DBIA) for the calendar year 2012.

BACKGROUND

The DBIA exists for the purpose of undertaking improvements and activities designed to promote the business environment in downtown Hayward. Most retail, service, professional, and financial institutions within the boundaries of the DBIA are assessed an annual levy, which is collected by the City's Finance Department. The levy amount, as shown in the attached resolution, varies by business license category and by the zone in which the business is located. A small minority of non-profit business license holders located within the DBIA are exempt from the levy.

In accordance with State law, the levy may be approved each year by City Council only after the adoption of an annual report submitted by the DBIA Advisory Board, and after holding a public hearing regarding the proposed levy. On June 14, 2011, the City Council accepted the DBIA Annual Report and FY 2012 budget recommendations submitted by the DBIA Advisory Board. The Report projected $55,000 to be collected from the DBIA levy, which reflects no change from previous years.

DISCUSSION

The DBIA's Annual Report recommended no changes to DBIA district boundaries, benefit zones, or the method of the levy at this time. The DBIA levy was last modified in June 2001. DBIA assessments are expected to remain at the same level in FY 2012, as in the current year. Given the unstable economic climate, the Advisory Board does not recommend an increase in membership assessments.

FISCAL AND ECONOMIC IMPACT

The DBIA levy is collected from downtown businesses in conjunction with the annual invoicing for the City's business licenses, and there is no additional impact to the City's General Fund. Staffing for the DBIA is provided by the Redevelopment Agency.

DBIA assessment revenue is currently expected to remain static at the $55,000 level in the upcoming fiscal year. In past years, the Redevelopment Agency has also contributed funds totaling $55,000 annually to the DBIA to supplement economic development and blight reduction activities in the Downtown. However, the Redevelopment Agency's annual contribution of $55,000 is threatened by the Governor's proposal to eliminate Redevelopment Agencies. If the Governor's proposal is adopted, the DBIA proposed budget of $110,000 would be reduced to $55,000 collected from levies. The total budget allocation for DBIA for FY 2012 is $110,000, which includes $55,000 from DBIA assessments, and a contribution of $55,000 from the Redevelopment Agency. To reflect a possible reduction in the budget if the Redevelopment Agency is eliminated, two budgets were approved by the City Council on June 14, 2011, one at $110,000 and one at $55,000 as detailed in Attachment II. If redevelopment agencies are eliminated and funding is not available for the annual RDA contribution to the BIA, then the $55,000 budget would go into effect.

The DBIA Advisory Board maintains a healthy budget reserve of approximately $90,000; however, they remain reluctant to spend reserve funds unless the benefits of doing so clearly help achieve the vision and goals of creating a clean, safe and inviting downtown.

PUBLIC CONTACT

The DBIA Advisory Board met on the following dates: January 19, 2011; April 5, 2011; April 20, 2011; and May 18, 2011. These regularly scheduled meetings, and the addition of special meetings, allowed the DBIA board to hear updates on the Governor's proposal to eliminate Redevelopment Agencies, develop a mission/vision statement, and develop and approve FY2012 budget alternatives. On May 18, 2011, a quorum of the DBIA Advisory Board adopted a motion approving the proposed FY2012 budget recommendations, including the levy recommendations. The City Council approved the Annual Report and FY 2012 budget recommendations on June 14, 2011.

NEXT STEPS/SCHEDULE

Notice for the June 28, 2011 public hearing was published by the City Clerk on June 21, 2011, seven days prior to the public hearing. If the levy is adopted, the City will issue the billing in January 2012.

Prepared by: Gloria Ortega, Redevelopment Project Manger

Recommended by: Kelly McAdoo Morariu, Assistant City Manager/Interim Redevelopment Agency Director

Approved by:

_____

Fran David, City Manager

Attachments:

Attachment I: Resolution
Attachment II: FY2012 Adopted Budget

DRAFT

Attachment I

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member____

RESOLUTION CONFIRMING THE ANNUAL REPORT AND AUTHORIZING THE DOWNTOWN BUSINESS IMPROVEMENT AREA (DBIA) LEVY FOR CALENDAR YEAR 2012

WHEREAS, on June 14, 2011, the City Council accepted the FY2010-11 DBIA Annual report; and

WHEREAS, the Council established June 28, 2011, as the date for the public hearing on the levy and provided for oral and written protests at that hearing; and

WHEREAS, the DBIA Advisory Board recommended no changes to the DBIA district boundaries, benefit zones or the method of the levy.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Hayward finds as follows:

1. The resolution of intention was appropriately adopted and the required notice of the assessment hearing given.

2. The hearing has been held and all oral and written protests considered.

3. There has not been a majority protest to the levy.

4. All properties in the district will derive benefit from the levy in proportion to the levy amounts.

BE IT FURTHER RESOLVED that the Council hereby confirms the DBIA Annual Report and levies the assessments contained in the report.

IN COUNCIL, HAYWARD, CALIFORNIA_____, 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 of the City of Hayward

Attachment II: FY 2012 Adopted Budget

Revenues	**With RDA Funds**	**With Out RDA Funds**
BIA Assessments	$ 55,000	$55,000
Redevelopment Agency Contribution	$ 55,000	
Total Revenues:	**$110,000**	**$55,000**
Expenses		
Summer Street Parties	$ 30,000	$22,500
"Light Up The Season"	$ 18,000	$9,300
Banners – Maintenance & Rotation	$ 13,600	$3,400
Marketing & Promotions	$ 17,360	$5,500
Sidewalk Cleaning	$ 31,040	$14,300
Total Expenses	**$ 110,000**	**$55,000**

CITY OF
HAYWARD
HEART OF THE BAY

____13___

DATE: June 28, 2011

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Request to Change the Zoning from Medium Density Residential/SD-4 to Planned Development; and to Subdivide the Property to Construct Fifty-Seven Detached Single Family Homes - Zone Change Application No. PL-2010-0403 and Vesting Tentative Tract Map Application No. PL-2010-0405 – Perry Hariri of Urban Dynamic (Applicant); City of Hayward (Owner). The project site is located at the Southwest Corner of B Street and Myrtle Street east of Burbank Elementary School.

RECOMMENDATION

That the City Council

1. Approves the attached resolution (Attachment I)
    a. adopting the Mitigated Negative Declaration (MND) (Attachment V),
    b. adopting the Mitigation Monitoring and Reporting Program (Attachment VI), and
    c. approving the Vesting Tentative Tract Map Application for the proposed fifty-seven detached single-family homes, subject to the recommended conditions of approval (Attachment IV); and
2. Introduces the attached ordinance (Attachment II) related to the zone change to a Planned Development District.

SUMMARY

This proposal from Urban Dynamic for the site located at the southwest corner of B and Myrtle Streets is supported by staff because the proposed density, 14.8 dwelling units per acre, is consistent with the General Plan and Cannery Area Design Plan. The project is well-designed with high-quality architectural features that are reflective of the neighborhood character, including along B Street. In addition, the project proposes substantial green building features including, but not limited to: (1) a standard solar package on all units, with opportunities for upgrades; (2) a charging station within each garage for electric vehicles; and (3) the development is seeking to achieve a minimum of one hundred points on the GreenPoint Rated checklist (versus the fifty points minimum required) or to seek LEED silver designation for each home. This land use application is part of the applicant's proposal to purchase the property from the City, which is also scheduled to be considered by Council on June 28, 2011.

BACKGROUND

In 2001, the City Council adopted the "Cannery Area Design Plan" (Design Plan), amended the City's General Plan, rezoned older industrial properties in the 120-acre Design Plan area, and adopted the Cannery Area Special Design Overlay District (SD-4). The subject property was the former location of the Burbank Elementary School.

Under the Design Plan, the school site was relocated to the west and a new school was constructed. In August 2005, to assure that the facilities at the new Burbank Elementary School would be available for community use, the Hayward Area Recreation and Park District (HARD) and the Hayward Unified School District (HUSD) amended the "Master Facilities Use Agreement" to assure that the facilities at the new Burbank Elementary School would be available to be used for HARD activities when not in use for school or school-related activities.

On July 10, 2006, HUSD, HARD, the City, and the Redevelopment Agency entered into the "Public Facilities Development and Property Exchange Agreement" (the PFDA), which specified the land exchange and financial agreements for the Cannery Area public improvements. In accordance with the provisions of the PFDA, the Agency transferred the new Burbank School to HUSD in August 2008, and concurrently, HUSD transferred the undeveloped 3.84-acre portion of the former Burbank School to the Redevelopment Agency to facilitate the sale and redevelopment of the site. The area that was transferred to the Redevelopment Agency is referred to as the "Residual Burbank School Site." The Redevelopment Agency subsequently transferred the property to the City in March 2011.

In 2008, the City Council amended the General Plan Land Use Designation, changed the Zoning District, and amended the Hayward Cannery Area Design Plan to facilitate the development of Medium Density Residential uses on the project site. At that time, Citation Homes was the developer anticipated for the project site; however, negotiations fell through and the site was once again available for development. In 2010, Urban Dynamic submitted an application to develop the site with fifty-seven detached, single-family homes.

May 26, 2011 Planning Commission Public Hearing: The Planning Commission considered this proposal at the May 26, 2011 meeting. As reflected in the attached meeting minutes (Attachment IX), the Commission heard from some neighbors who indicated their concerns related to the proposed density of the development, limited parking opportunities, and disappointment that a community center would no longer be developed at this location. The Planning Commission acknowledged the concerns expressed, with many of the Commissioners expressing similar concerns. However, the Commissioners felt that overall, the project was well-designed, and they were pleased to see all the green building elements proposed for the project. The Commission voted 6-0-1 to recommend that the City Council approve the project, with additional language added to Condition of Approval 106 requiring a 2.5kW solar energy package on each residential unit.

DISCUSSION

Project Description: The project requires a Zone Change from Medium Density Residential/SD-4 to Planned Development and a Vesting Tentative Tract Map to subdivide the property in order to construct fifty-seven detached single-family homes. The project site is approximately 3.84 acres and the resulting density is 14.8 dwelling units per acre, consistent with the Medium Density General Plan designation for the property, which allows up to 17.4 dwelling units per acre. The project site is bounded by B Street, Myrtle Street, C Street, and Filbert Street; and is directly across Filbert Street from the Burbank Elementary School.

The project site is located within an existing single-family residential neighborhood that includes a mix of one-and two-story single-family residential homes. The style of the homes in this neighborhood includes Victorian and Colonial-Revival, as well as bungalows with some craftsman features. B Street is also characterized primarily by the large Sycamore trees that line the street. The site is located less than a half-mile from the downtown Hayward BART station and Amtrak station, as well as many other amenities within the downtown Hayward area, including City Hall, the library, and shopping and entertainment uses.

The project proposes two entries with access points on Myrtle Street and C Street, away from the adjacent Burbank School. Most units have rear-loaded, two-car garages and are accessed via these two private road entries. Six units have their own private driveway with direct access off the surrounding streets to accommodate more Plan 3 units described below. Staff has included Condition of Approval 38(g) requiring the use of decorative pavement for these six driveways.

Each unit provides two covered parking spaces. The six units that have private driveways can also accommodate two cars within the driveways. All other guest parking, approximately fifty parking spaces, is available on the surrounding streets along the curbs adjacent to the project site. Typically, the City has allowed three parking spaces per unit for small lot single-family developments and has allowed street parking to count toward the total number of parking spaces. A development of fifty-seven units requiring three spaces per unit would require a total of 171 parking spaces. Between the covered parking, the spaces within driveways and the street parking, there are 176 parking spaces.

The front entries for the units are oriented toward the surrounding streets or common paseos and include covered porches. Such features/designs are consistent with the design requirements of the "B" Street Special Design Streetcar (SD-1) Overlay District, even though the subject site is not located within such district. Each unit has a private side yard. The project includes three different plans ranging in size from 1,603 square feet to 2,407 square feet, with Plan 1 offering 4 bedrooms, Plan 2 offering 3 bedrooms plus a loft and office, both of which can be converted to additional bedrooms, and Plan 3 showing 4 bedrooms with a loft that can be converted to an additional bedroom. The newly constructed detached units within the Cannery Area development and other single-family homes in this neighborhood are comparable in size to the proposed units.

All units are two-story and will have either a Victorian or Craftsman architectural elevation consistent with the historical architectural style for this neighborhood. The high quality design of the architecture includes such features as low-pitched gabled roofs with multiple roof planes, exposed roof beams, porch supports that have sloping sides, casement windows, and use of

horizontal lap siding and stone for the Craftsman elevations. Steeply-pitched gabled roofs, decorative trusses and porch support braces, elongated windows, and varied patterns of siding and shingles are incorporated in the Victorian elevations.

Staff has included a requirement, Condition 38(b), to incorporate additional elements in the plan elevations to provide more variety. All plans include ground-floor living space including kitchen with second-floor bedrooms. Two of the three floor plans, amounting to approximately half of the proposed units, include options for ground-floor bedrooms with bathrooms.

Undergrounding of Utilities: Section 10-3.815 of the Hayward Municipal Code states, "All telephone, electrical facilities, and cable T.V. shall be installed as an 'underground system.' Where lots can be served from existing overhead facilities, services shall be installed underground. If the subdivision abuts existing overhead facilities, the City Council may require the undergrounding of the existing facilities." Staff is recommending, as did the Planning Commission, that the existing overhead utility lines along B Street be placed underground (see page 10 of Attachment IV (recommended conditions of approval)). In order to comply with this requirement, the applicant will need to install riser poles along the north side of B Street to accommodate the homes along the north side that currently have overhead utility service. The undergrounding of the utilities along the south side of B Street will, however, eliminate the larger utility poles on the south side of B Street and eliminate the utility lines crossing B Street.

If the Council approves the project with this requirement, staff will contact the property owners on the north side of B Street to determine their interest in participating in the undergrounding of utilities to their homes, which could eliminate the need for the riser poles on the street's north side. The undergrounding of utilities along the remaining portions of B Street will occur when the City has the funds to complete the project, or as new developments are proposed.

Inclusionary Housing Ordinance: In January 2011, the City Council adopted an Ordinance providing interim relief from the Inclusionary Housing Ordinance effective until December 31, 2012. The Relief Ordinance allows a developer to pay an inclusionary housing in-lieu fee "by right" rather than providing the units on-site. In this particular case, the applicant has indicated they will pay the in-lieu fee as allowed for in the Relief Ordinance. The in-lieu fee cost is $80,000 per affordable unit, which amounts to $480,000, since six units (ten percent of total) affordable to moderate income households would otherwise be required.

Rezoning to Planned Development District: The proposal involves a modification of the current zoning designation from Medium Density Residential District to Planned Development District. Under the current zoning designation, the project would not be feasible without modifications to some of the development standards. The purpose of the Planned Development District is to encourage development through efficient and attractive space utilization that might not otherwise be achieved through strict application of the development standards.

The development proposes that forty-three of the fifty-seven lots would be smaller than the minimum size of 2,500 square feet normally required. Proposed lot sizes range from 1,792 square feet to 3,490 square feet with an average lot size of 2,300 square feet. The overall proposed density is, however, consistent with the existing Medium Density Residential General Plan designation.

The project proposes a front-yard setback that varies in a few instances from the setback established in the SD-4 (Cannery Area Special Design District) overlay zone. The SD-4 overlay zone allows for a ten-foot front-yard setback for new homes. This required setback is met on all but four units. Three of these four units maintain a nine-foot setback to the property line while the fourth unit has a five-foot setback to the property line, but is the side elevation rather than the front elevation of that particular unit.

Multi-family developments within the Medium Density Residential District are also required to provide a combination of private and group open space. Although the proposed project entails detached single-family homes, staff has applied the multi-family open space development standards, as is typically done for small-lot detached products that are more similar to attached products than typical detached homes. Developments similar to that proposed should provide a minimum of 350 square feet of useable open space for each dwelling unit with at least one hundred square feet per unit being utilized for group open space. Private open space may not include required front or street side yards, exceed a three percent slope, be less than one hundred square feet in area, or have a dimension less than ten feet. Group open space must be centrally located to all residents, cannot have a greater than five percent slope and not be less than four hundred square feet in area. A development of fifty-seven dwelling units would be required to provide 19,950 square feet of open space, of which 5,700 square feet would be required to be designated for group open space.

The project site is located within the Cannery Area Design Plan, which when adopted in March 2001, designated areas within the defined Plan area for open space and parks. The park areas for this Plan area include Centennial Park, Cannery Park and Burbank School, and Water Tower Square with park links. It was envisioned that these park areas would serve the future residents in this plan area. In addition to the site's proximity to these designated open space and park areas, the project includes a 720 square foot central gathering space and each unit includes some private side-yard areas that range in size from 264 to 400 square feet. Each unit also provides a useable front porch that ranges in size from 118 to 173 square feet. The amount of private open space provided for the development totals 22,726 square feet. In addition, the project site is less than a half-mile from other open space amenities, including areas surrounding City Hall and the Main Public Library.

To offset the relaxation of applicable development standards, the project applicant is proposing some significant green elements that would exceed the City's minimum Green Building Ordinance requirements. The City's Green Building Ordinance requires new homes to achieve a minimum of fifty points on the GreenPoint Rated checklist. Condition of Approval 106 requires each unit in this proposal to achieve a minimum of one hundred points on the GreenPoint Rated checklist or to seek LEED Silver certification for each home. The following additional green elements are proposed for the development:

1. All homes would have a charging station within the garages for electric vehicles;
2. Each home will be offered a baseline solar energy package of 2.5Kw and the potential for upgrade to a 4.0Kw system depending on the floor plan and orientation (Attachment VII);
3. Solar water heater technology will also be made available as an optional feature for the homes; and
4. The applicant will be seeking environmental and resource conservation recognitions and certifications, such as LEED Neighborhood Design, for the proposed development.

Findings for the Zone Change/Preliminary Development Plan: In order for a Planned Development District to be approved, the City Council must make the following findings, as recommended by the Planning Commission and staff:

(1) The development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies.

The project is consistent with the existing General Plan designation and policies related to providing a variety of housing types. The detached two-story, single-family homes proposed on this site are more dense than the single-family neighborhood to the east, but a much different housing type than is currently under construction at the Cannery just to the west, which tend to be attached, three-story townhomes. The exteriors of the homes are consistent with the design of the surrounding homes along B Street and consistent with the design required under the Cannery Area Design Plan, especially the incorporation of Craftsman and Victorian styles. Front porches are incorporated in the home design and the homes are oriented toward the surrounding streets providing the desired interaction of residents with the existing neighborhood.

(2) Streets and utilities, existing or proposed, are adequate to serve the development.

The proposed project is an in-fill development site surrounded by existing streets and there are utilities available to the site with adequate capacity to serve the proposed development. In addition, the project is required to underground any overhead utilities along the project site frontage.

(3) The development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development.

The project applicant has proposed a development achieving an integration of density, livability and renewable energy sources that establishes a high standard for future development in the City. The site design maintains the continuity of the existing street design by providing front porches and entry doors that are oriented toward the surrounding streets and neighborhood, which provide "eyes" on the public areas and encourage community interaction. Some useable open space and pedestrian connectivity is provided, which allows for better circulation and access to surrounding amenities such as the school, public parks such as Cannery Park and Centennial Park, shopping and public transit. Lastly, the home designs offer a wide and flexible range of livability and lifestyles by integrating universal design features in many of the units.

(4) Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards.

The project is consistent with the Cannery Area Design Plan as well as the B Street Design guidelines. The applicant is seeking a Planned Development designation to provide flexibility in the site layout of the units. To off-set the flexibility the applicant desires, the project proposes to exceed the standards required under the Green Building Ordinance. The proposal is a green development that, as conditioned, would achieve a minimum 100 point GreenPoint rating where the minimum required by the ordinance is fifty points, or to alternatively seek LEED Silver certification for each of the homes. In addition, the applicant will be seeking environmental and resource conservation recognitions and certifications, such as LEED Neighborhood Design, for the proposed development.

Vesting Tentative Tract Map 7991: A vesting tentative tract map is being processed with this proposal to create individual parcels of land that would encompass each residential unit. If the vesting tentative map is approved, a final map will be processed and recorded, allowing each unit to be sold separately. The developer is proposing a vesting tentative map so that the developer gains, for a period of three years after the date of approval or conditional approval of the vesting tentative map, the right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect on the date on which the developer's application for a vesting tentative was deemed complete, which was March 17, 2011.

The proposed subdivision creates sixty-four parcels for fifty-seven detached single-family lots and seven common lots for two private streets and common landscaping areas including clean water treatment facilities on approximately 3.84 acres of land. The two private streets will have a twenty-two foot right-of-way width, with a travel lane width of twenty-one feet, and would be constructed to the same standards as a public street. The proposed twenty-two-foot wide private street right-of-way is adequate for circulation and meets the Fire Department accessibility requirements. These private streets shall be designated as fire lanes and no parking will be allowed except in the designated parking areas. Fire lane signage shall be installed to the satisfaction of the Fire Chief and City Engineer.

Full frontage improvements such as Portland cement concrete curb, gutter and sidewalk have been installed with recent street improvements along Filbert Street. Any frontage improvements in Filbert Street damaged during construction will be repaired. Existing Portland cement concrete curb, gutter and sidewalk along B, C and Myrtle Streets will be removed and replaced with new alignments to facilitate the project development.

The existing utilities in the project vicinity, including sanitary sewer, water, and storm drain systems, have sufficient capacity to adequately serve the proposed development. On-site sewer and water utilities will be installed within the public utility easement and connected to existing utilities in Myrtle and C Streets. On-site storm drainage will be connected to an existing system in B Street. Sanitary sewer and water mains will be publicly owned and maintained by the City. However, the

proposed on-site storm drain system and clean water treatment facilities will be privately owned and maintained by the Homeowners' Association.

The formation of a Homeowners' Association (HOA) and the creation of Conditions, Covenants, and Restrictions (CC&R's) will be required so that the HOA will be responsible for maintaining all private streets, private street lights, private utilities, and other privately owned common areas and facilities on the site, including, but not limited to: clean water treatment facilities; landscaping; preservation and replacement of trees; and decorative paving. For any necessary repairs performed by the City in locations under the on-site decorative paved areas, the City shall not be responsible for the replacement cost of the decorative paving. The replacement cost shall be borne by the HOA established to maintain the common areas within the association boundary. The common area landscaping includes all areas except the private yards. The CC&R's will also contain a standard condition that if the Homeowners' Association fails to maintain the common areas, private streets, lights and utilities, the City of Hayward will have the right to enter the subdivision and perform the necessary work to maintain these areas and lien the properties for their proportionate share of the costs.

Findings for the Vesting Tentative Tract Map: In order for a Vesting Tentative Tract Map to be approved, the City Council must make the following findings, as recommended by staff and the Planning Commission:

(1) The approval of Vesting Tentative Map Tract 7991, as conditioned, will have no significant impact on the environment, cumulative or otherwise. A Mitigated Negative Declaration was prepared per the guidelines of the California Environmental Quality Act (CEQA) for the development of this site, which identifies mitigation measures to reduce potentially significant impacts to less-than-significant levels.

(2) The tentative tract map substantially conforms to the State Subdivision Map Act, and the City of Hayward's Subdivision Regulations, General Plan, and Zoning Ordinance.

(3) Upon the completion of remediation recommended by the project geotechnical engineer, the site will be physically suitable for the proposed type of development.

(4) The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

(5) The design of the subdivision and the proposed improvements are not likely to cause serious health problems.

(6) Upon completion of the proposed improvements, the streets and utilities would be adequate to serve the project.

(7) None of the findings set forth in Section 66474 of the Subdivision Map Act for denial of a tentative map have been made.

ENVIRONMENTAL REVIEW

This proposal is defined as a "project" under the parameters set forth in the California Environmental Quality Act (CEQA) Guidelines. Staff has prepared a Mitigated Negative Declaration and Initial Study (Attachment V), which indicates there will be no significant environmental impacts resulting from the project provided the mitigation measures are incorporated into the project. Historical pesticide and herbicide use on the property has resulted in remnant arsenic, lead and chlordane on the project site and must be cleaned up and site clearance provided by either the State Department of Toxic Substances Control or the Regional Water Quality Control Board prior to any grading or construction on the project site. The associated mitigation measures have been included as project conditions of approval. The environmental document was made available for public review from April 23 through May 13, 2011. No comments were received.

Also included as Attachment VI is a Mitigation Monitoring and Reporting Program that identifies who is responsible for implementing the mitigation measures, when those measures should be implemented, and who is responsible for monitoring the implementation of such measures.

ECONOMIC AND FISCAL IMPACT

The applicant is engaged in negotiating for the purchase of the land and has offered the City $4 million dollars for the land. In addition, the City will gain property transfer tax at a rate of $4.50 per $1,000 sales price, both when the property is sold to the applicant and when each individual unit transfers to the new owners. The City will also gain some revenue from the City's share of the annual property taxes paid at a rate of one percent of the annual assessed value of the property. In addition to these, the applicant is required to pay $681,321 in park in-lieu fees ($11,953 per unit) and School Impact fees of $2.97 per square foot prior to issuance of Certificates of Occupancy. The applicant will also be paying $480,000 in in-lieu fees ($80,000 per unit) for the six inclusionary housing units that would normally be required to be built at the site.

The project will also have impacts on city services such as Police, Fire, and Public services. However, these impacts will be minimized, because the property is being required to join the area's Communities Facilities District. It is roughly estimated that the assessment per unit per year will be approximately $500.

PUBLIC CONTACT

When the application was first received, notice was sent to all property owners within a three hundred-foot radius of the project site indicating staff had received an application for development on this site and informing the community of a preliminary meeting that would be held to provide the public an opportunity to review and comment on the project. This meeting was held on November 18, 2010. Two neighborhood residents attended this meeting and expressed their support for the proposed project. They liked the design of the homes and were pleased that the proposal included two-story single-family detached homes.

The applicant also conducted some additional outreach with the community. The City has held Neighborhood Partnership Meetings throughout neighborhoods in the City, one of which was held

in the Burbank neighborhood on January 24, 2011. Project representatives were in attendance at this meeting to share the plans for the proposed site. In addition, they were also in attendance at a subsequent Neighborhood Partnership meeting at the Burbank School for this same neighborhood on April 25, 2011. In both instances, the community seemed supportive of the project.

Suggestions were made to incorporate the use of alternative materials, such as stucco, on some of the homes for variety. Recommended Condition of Approval 38(b) includes language requiring the applicant, at the Precise Plan stage, to provide some additional details to provide the variety in the plan elevations requested. Additionally, comments were made regarding the undergrounding of existing overhead utility lines, and recommended Condition of Approval 70(a) requires such undergrounding.

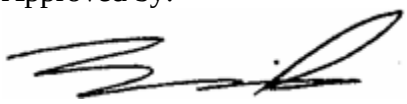
Lastly, a notice of this public hearing was sent to all property owners within a 300-foot radius, as well an expanded notification list that included all property owners along B Street.

NEXT STEPS

Assuming the City Council approves the project and the sale of the property, which is also scheduled for the Council's consideration on June 28, the applicant will need to submit a Precise Development Plan and Improvement Plans for review and approval by various City departments. Once the City approves the Precise Development Plan and Improvement Plans, the applicant will work with City staff to obtain City Council approval of a final map to ultimately allow for construction of the project.

Prepared by: Sara Buizer, AICP, Senior Planner
Recommended by: David Rizk, AICP, Development Services Director

Approved by:



Fran David, City Manager

Attachments:

Attachment I	Resolution
Attachment II	Ordinance
Attachment III	Area and Zoning Map
Attachment IV	Recommended Conditions of Approval
Attachment V	Initial Study and Mitigated Negative Declaration
Attachment VI	Mitigation Monitoring and Reporting Program
Attachment VII	Solar Site Plan
Attachment VIII	Planning Commission Staff Report minus attachments
Attachment IX	Planning Commission Meeting Minutes
Attachment X	Plans

HAYWARD CITY COUNCIL

RESOLUTION NO. 11-

Introduced by Councilmember _____

RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVING VESTING TENTATIVE TRACT MAP APPLICATION PL-2010-0405 AND ZONE CHANGE APPLICATION PL-2010-0403 PERTAINING TO A PROPOSED 57-UNIT SINGLE-FAMILY RESIDENTIAL COMMUNITY AT THE RESIDUAL BURBANK SITE

WHEREAS, on October 22, 2010, Urban Dynamic (Applicant) submitted Zone Change Application No. PL-2010-0403 and Vesting Tentative Tract Map Application No. PL-2010-0405, which concerns a request to a) change the zoning from Medium Density Residential to Planned Development and b) to subdivide the property located at the corner of B and Myrtle streets to facilitate construction of 57 detached single-family housing units (the "Project'); and

WHEREAS, a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program has been prepared to assess and mitigate the potential environmental impacts of the Project; and

WHEREAS, the Planning Commission considered the Project at a public hearing held on May 26, 2011, and has recommended that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; approve PL-2010-403ZC, reclassifying the property from Medium Density Residential to Planned Development; and approve PL-2010-0405TTM, the vesting tentative map application for the 57-unit single-family residential community; and

WHEREAS, notice of the hearing was published in the manner required by law and the hearing was duly held by the City Council on June 28, 2011.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds and determines as follows:

CALIFORNIA ENVIRONMENTAL QUALITY ACT

1. The proposed Project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation

Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed Project, with the recommended mitigation measures, could not result in significant effects on the environment. A Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been prepared, which reflect the independent judgment of the City of Hayward.

2. The Project will not adversely affect any scenic resources. A lighting plan will be required to ensure that light and glare do not affect area views. Also, compliance with the City's Design Guidelines will ensure visual impacts are minimized. Landscape plans will also be required to ensure that structures are appropriately screened.

3. The Project will not have an adverse effect on agricultural land since the subject site is not used for such purposes, does not contain prime, unique or Statewide important farmland.

4. The Project is consistent with the General Plan Land Use designation for the site and the Cannery Area Design Plan and will not result in significant impacts related to air quality.

5. The Project, proposed on properties surrounded by other residential development and within an urbanized area, will not result in significant impacts to biological resources, including protected trees.

6. The Project will not result in significant impacts to known cultural resources including historical resources, archaeological resources, paleontological resources, unique topography or disturb human remains.

7. The Project will not result in significant impacts to geology and soils as the site is not located within a geologic hazard zone or liquefaction zone. The Project is located west of the Hayward fault, which poses potential risk to any development in the City of Hayward. Recommendations of the Project geotechnical engineer will be required to be incorporated into Project design and implemented throughout construction, to address such items as seismic shaking. Construction will also be required to comply with the California Building Code standards to minimize seismic risk due to ground shaking.

8. Any hazardous materials, including potential arsenic, lead and chlordane associated with historical pesticide and herbicide use on the property, will be required to be removed/treated in accordance with State and local regulations. A site clearance will also be required to be obtained from either the State Department of Toxic Substances Control or the Regional Water Quality Control Board.

9. The Project will be required to meet all water quality standards as part of the normal development review and construction process, to be addressed in a Stormwater Pollution Prevention Plan and Erosion Control Plan that utilize best management practices. Drainage improvements will be required to accommodate stormwater runoff, so as not to negatively impact the existing downstream drainage system of the Alameda County Flood Control and Water Conservation District.

10. The Project proposes amendments to the Hayward zoning designation for the site, but is still consistent with the overall density supported by the Hayward General Plan. In addition, the Project will be required to be consistent with the City of Hayward's Design Guidelines.

11. The Project will not result in any long-term noise impacts. Construction noise will be mitigated through restriction on construction hours, mufflers, etc., to be approved as part of the building permit.

12. The Project will not result in significant impacts related to population and housing in that the amount of development proposed is within the range of development analyzed in the Hayward General Plan.

13. The Project will not result in a significant impact to public services in that development is at least as intensive as that proposed was analyzed in the Hayward General Plan EIR and found to have less-than-significant impacts.

ZONE CHANGE

14. The Project is consistent with the existing General Plan designation and policies related to providing a variety of housing types. The detached two-story single-family homes proposed on this site are more dense than the existing neighborhood to the east, but a much different housing type than is currently under construction at the Cannery just to the west which tend to be three-story townhomes. The exteriors of the homes are consistent with the design of the surrounding homes along B Street and consistent with the design required under the Cannery Area Design Plan, especially the incorporation of Craftsman and Victorian styles. Front porches are incorporated in the home design and the homes are oriented toward the surrounding streets providing the interaction with the existing neighborhood.

15. The proposed Project is and in-fill development site surrounded by existing streets and there are utilities available to the site with adequate capacity to serve the proposed development.

16. The Project applicant has proposed a development achieving an integration of density, livability and renewable energy sources that establishes a high standard for future development in the City. The site design maintains the continuity of the existing street design by providing front porches and entry doors that are oriented toward the surrounding streets and neighborhood, which provide eyes on the public areas and encourage community interaction. Some useable open space and pedestrian connectivity is provided which allows for better circulation and access to surrounding amenities such as the school, parks, shopping and public transit. Lastly, the home designs offer a wide and flexible range of livability and lifestyles by integrating universal design features in many of the units.

17. The Project is consistent with the Cannery Area Design Plan, as amended, as well as the B Street Design guidelines. The applicant is seeking a Planned Development designation to provide flexibility in the site layout of the units. To off-set the flexibility the applicant desires, the Project proposes to exceed the standards required under the Green Building

Ordinance. The proposal is a green development which has been conditioned to achieve a minimum 100 point GreenPoint rating where the minimum required by the ordinance is 50 points or to alternatively seek LEED silver certification for each of the homes. In addition, the applicant will be seeking environmental and resource conservation recognitions and certifications, such as LEED Neighborhood Design, for the proposed development. This Project will serve as an example project for the City and hopefully will encourage more development like this in the future.

VESTING TENTATIVE TRACT MAP

18. The approval of Vesting Tentative Map Tract 7991, as conditioned, will have no significant impact on the environment, cumulative or otherwise. A Mitigated Negative Declaration was prepared per the guidelines of the California Environmental Quality Act (CEQA) for the development of this site.

19. The tentative tract map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Plan, and the City of Hayward Zoning Ordinance.

20. Upon the completion of remediation recommended by the project Geotechnical Engineer the site is physically suitable for the proposed type of development.

21. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

22. The design of the subdivision and the proposed improvements are not likely to cause serious health problems.

23. Upon completion of the proposed improvements the streets and utilities would be adequate to serve the project.

24. None of the findings set forth in Section 66474 of the Subdivision Map Act have been made.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward, based on the foregoing findings, hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approves Zone Change Application No. PL-2010-0403 and Vesting Tentative Tract Map Application PL-2010-0405, subject to the adoption of the companion ordinance rezoning the property located at the corner of B and Myrtle Streets (APN 431-0110-007-00) from Medium Density Residential to Planned Development District.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2011

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 1 OF THE HAYWARD MUNICIPAL CODE BY REZONING CERTAIN PROPERTY IN CONNECTION WITH ZONE CHANGE APPLICATION NO. PL-2010-0403 RELATING TO THE RESIDUAL BURBANK SCHOOL SITE RESIDENTIAL DEVELOPMENT

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Rezoning.

Article 1 of Chapter 10 of the Hayward Municipal Code is hereby amended to rezone the property at the corner of B and Myrtle Streets (APN 431-0110-007-00) from Medium Density Residential to Planned Development District.

Section 2. Severance.

Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid or beyond authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided the remainder of the ordinance, absent the excised portion, can be reasonable interpreted to give effect to intentions of the City Council.

Section 3. Effective Date.

This ordinance shall become effective immediately upon adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held on the _____ day of June, 2011, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the _____ day of July, 2011, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEM BERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

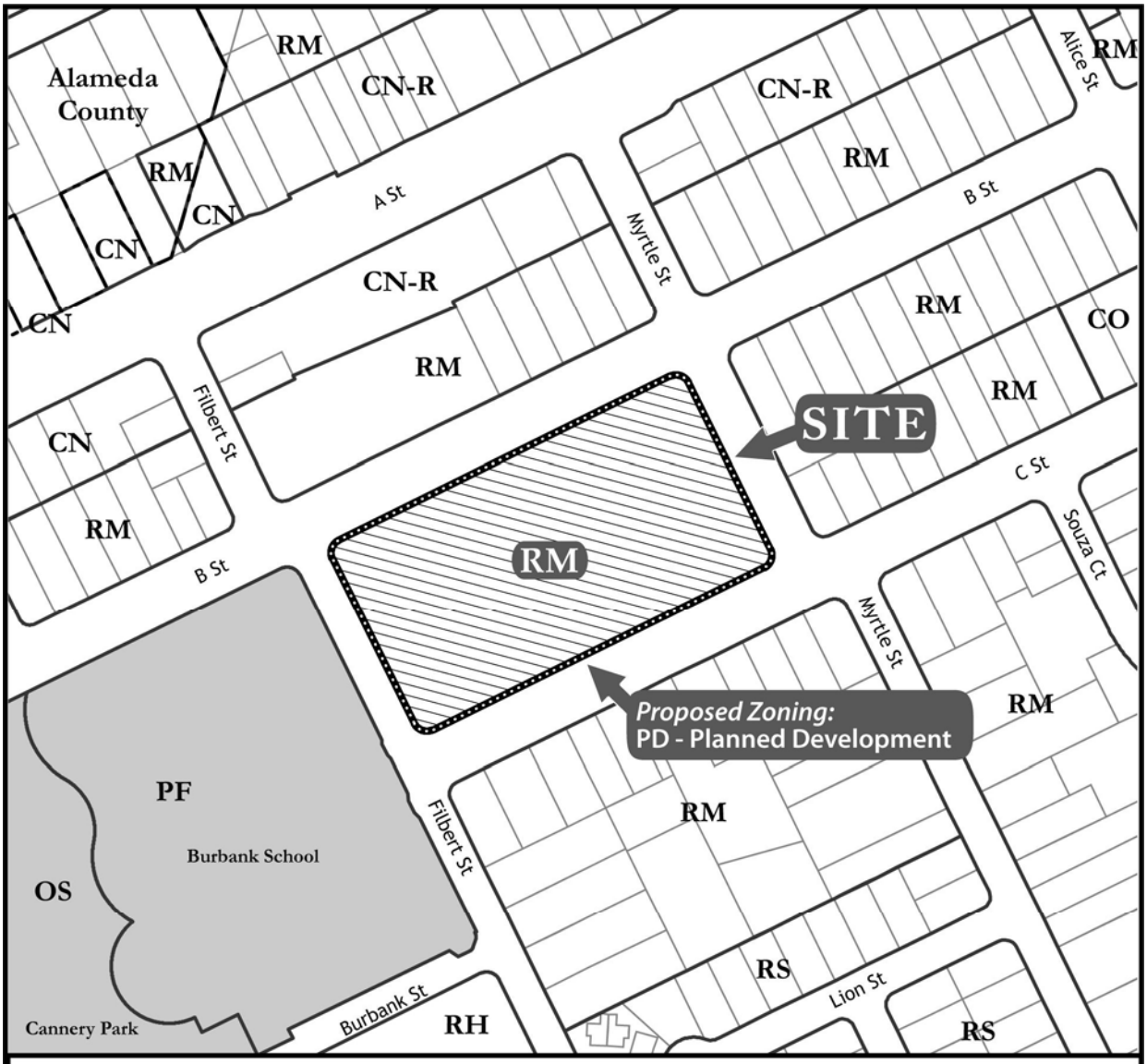
APPROVED: _____
Mayor of the City of Hayward

DATE:_____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward



Area & Zoning Map

PL-2010-0403 ZC,
PL-2010-0405 TTM

Address: 376 C Street
Applicant: Perry Hariri
Owner: City of Hayward

N

FEET 200 400

Zoning Classifications

RESIDENTIAL

RH High Density Residential, min lot size 1250 sqft
RM Medium Density Residential, min lot size 2500 sqft
RS Single Family Residential, min lot size 5000 sqft

COMMERCIAL

CN Neighborhood Commercial
CN-R Neighborhood Commercial/Residential
CO Commercial Office

OPEN SPACE

OS Open Space

OTHER

PD Planned Development
PF Public Facilities

CONDITIONS OF APPROVAL

Zone Change Application No. PL-2010-0403 and Vesting Tentative Tract Map Application No. PL-2010-0405

Urban Dynamic, LLC (Applicant)

GENERAL

1. Zone Change Application No. PL-2010-0403 is approved subject to the plans labeled Exhibit "A" and the conditions listed below. The Preliminary Development Plan Approval shall coincide with the approval period for the Vesting Tentative Tract Map.

2. If a building permit is issued for construction of improvements authorized by the Zone Change approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the Precise Development Plan Approval, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance upon the Precise Plan approval.

3. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.

4. Any proposal for alterations to the proposed site plan and/or design, which does not require a variance to the Zoning Ordinance, must be approved by the Planning Director prior to implementation.

5. This approval is tied to Vesting Tentative Tract Map 7991 and all conditions of approval of that map shall also apply to this approval.

6. Unless otherwise stated, all necessary easements shall be dedicated, and all improvements shall be designed and installed at no cost to the City of Hayward.

7. All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code – Chapter 10, Article 3, and Standard Specifications and Details – unless otherwise indicated hereinafter.

8. All construction shall meet the California Building Code (CBC) and all applicable City of Hayward Building Department Ordinances (Ordinance #02-13) and amendments.

9. Design and construction of all pertinent life safety and fire protection systems shall meet the California Fire Code and all applicable City of Hayward Fire Department Ordinances (Ordinance #02-13) and amendments in use by the Hayward Fire Department.

10. The developer/subdivider's Professional Engineers registered to practice in the State of California shall perform all design work unless otherwise indicated.

Utilities

11. Sanitary sewer service is available subject to standard conditions and fees in effect at the time of application for service.

12. The sanitary sewer mains and appurtenances within the private streets shall be public main, designed and constructed to the City Standards and Specifications, and approved by the City Engineer.

13. All on-site sanitary sewer mains shall be eight-inch in diameter and manhole shall be installed at the change of flow direction, and the beginning and the end of each sanitary sewer main. The sanitary sewer mains shall be located a minimum of 10 feet from the water main.

14. Minimum horizontal separation between sanitary sewer main and storm drain pipe shall be four feet.

15. Each residential unit shall have a separate sanitary sewer lateral.

16. Sanitary sewer lateral for Lot 25 shall be connected to sewer main in C Street.

17. Only Water Distribution Personnel shall perform operation of valves on the Hayward Water System.

18. Provide water demand (gallons per minute) on the improvement plans so that proper water pipe and meter size may be determined. Calculations shall be based upon fixture units using current California Plumbing Code. Water meters serving each single-family residence shall be sized large enough to serve both domestic and fire sprinkler system.

19. Water service is available subject to standard conditions and fees in effect at the time of application for service.

20. The eight-inch in diameter water mains within the private streets shall be public mains, configured in a looped system, designed and constructed to the City Standards and Specifications, and approved by the City Engineer.

21. Where a public water main is in an unpaved easement, landscape/walkway area, or under decorative paving, stamped and colored concrete, or pavers, the water main shall be ductile iron pipe with shut-off valve at the beginning and ending of the pipe type change.

22. The eight-inch water main in street shall be located five feet from the face of curb (5.5 feet from back of curb).

23. Water laterals including meters are to be located a minimum of six feet from sanitary sewer laterals.

24. Each residential unit shall have an individual radio read water meter.

25. A reduce pressure backflow preventer shall be installed behind the water meter per City Standard Detail SD-202 for building with sprinkler system.

26. Separate irrigation water meters shall be installed for landscaping purposes.

27. A reduced pressure backflow preventer shall be installed behind the water meter for irrigation services, per City of Hayward Standard Detail 202.

28. Water lateral for Lot 25 shall be connected to the water main in C Street.

29. All service to dwellings shall be an "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, AT&T (phone) Company and local cable company regulations. All facilities necessary to provide service to the dwellings, including transformers and switchgear, shall also be undergrounded.

30. The developer/subdivider shall provide and install appropriate facilities such as conduit, junction boxes, individual stub-outs, etc., to allow for future installation of a City-owned and maintained fiber optic network within the subdivision. The terminus shall be on B Street for future extension by the City.

31. All surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed private streets, driveways or public streets shall be located outside the sidewalk within the Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Fire Chief.

32. The joint trench design and location shall meet the approval of the City Engineer.

33. All utilities shall be designed in accordance with the requirements of the City and applicable public agency standards.

Fire Department

34. Two new fire hydrants are required. One will be at the intersection of C Street and Private Drive ‘D; and another one at the intersection of Myrtle Street and Private Entry Road ‘A.’ The actual locations of all proposed fire hydrants shall be approved by the Fire Chief and City Engineer. Fire hydrant locations shall be identified with blue reflective pavement markers installed in the street.

35. Fire hydrant shall be double steamer type hydrants with 2-4½" outlet and 1- 2½" outlet which shall be installed per City standards.

36. NFDA 13D residential fire sprinkler system shall be installed for each residential home. Separate submittals and additional permits are required for the installation of fire sprinklers.

PRECISE DEVELOPMENT PLAN

Planning Division

37. The Precise Plan shall also include provisions for project staging, designated areas for construction employee parking (on- and off-site), construction office, sales office (if any), hours of construction, provisions for noise and dust control, and common area landscaping.

38. The Precise Plan shall include the following:

    a) A copy of these conditions of approval shall be included on a full-sized sheet(s) in the plan set.

    b) The plan elevations should incorporate more variety at the Precise Plan stage. Incorporate other exterior materials and design elements, such as stickwork in gables or porch, dormers, window boxes and triangular brace supports for the Craftsman elevations and exposed rafter ends, raised horizontal and vertical bands and siding applied in varying direction for the Victorian elevations.

    c) Details of address numbers shall be provided. Address number shall be decorative. Building addresses shall be minimum 4-inch self-illuminated or 6-inch on contrasting background. Address numbers shall be installed so as to be visible from the street.

    d) Details and locations of any decorative walls shall be included and approved by the Planning Director.

    e) Show an exterior hose bib for each patio, or porch area.

    f) Show fencing and fencing details. The pavement at the private driveway entries shall be enhanced by the use of decorative pavement materials such as colored, stamped concrete (bomanite or equal), brick, concrete interlocking pavers or other approved materials. The location, design and materials shall be approved by the Planning Director. Consideration shall be given to utilizing this material for the entire length of the interior streets.

    g) Pedestrian walkways fronting the building(s) and the six private driveways shall be enhanced with decorative materials such as inset brick, exposed aggregate, bomanite stamped concrete, interlocking pavers or other approved material.

    h) Grouped mailbox design and locations, subject to Post Office approval, shall be approved by the Planning Director. The shown locations may need to be modified so they can more easily be accessed by both the Post Office and future residents.

    i) A lighting plan prepared by a qualified illumination engineer shall be included to show exterior lighting design. Exterior lighting shall be erected and maintained so

that adequate lighting is provided in all common areas. The Planning Director shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the building(s). Exterior lighting shall be shielded and deflected away from neighboring properties and from windows of houses within the project.

j) All air conditioners and utility connections for air conditioners shall be located such that all external equipment is located behind solid board fences or walls not to exceed the height of the air conditioner unless otherwise approved by the Planning Director. Infrastructure for air conditioning systems is required to be installed as a standard feature.

k) All parking spaces are to meet minimum City of Hayward on-street and off-street parking standards.

l) An area within each garage for individual garbage and recycling receptacles shall be provided and shall be clear of the required area for two cars.

m) A color and materials board shall be submitted to the Planning Director for review and approval. No changes to colors shall be made after construction unless approved by the Planning Director.

n) All above-ground utility meters, mechanical equipment and water meters shall be enclosed within the buildings or shall be screened with shrubs and/or an architectural screen, to be approved by the Planning Director.

o) No mechanical equipment, other than the approved solar panels, shall be placed on the roof unless it is completely screened from view by the proposed roof structure. All roof vents shall be shown on roof plans and elevations. Vent piping shall not extend higher than required by building Code. Roof apparatus, such as vents, shall be painted to match the roof color.

p) If desired, a maximum of one identification sign per public road entrance shall be permitted. The signs shall conform to Section 10-7.403(b)(2) of the Sign Ordinance regulations, with the locations to be approved by the Planning Director. Sign design, colors, and materials shall reflect the architectural style of the project and shall be approved by the Planning Director.

q) Rooflines shall be articulated to break up bulky facades. Dormer elements are acceptable. Large expanses of blank wall are not allowed. Articulate such expanses to avoid bulkiness.

r) All decorative window treatments shall be extended to all elevations.

s) All rear and side entries shall be protected by roofs with rooflines to match the pitch of roof of the front porch.

t) All parking stall dimensions shall conform to the City's Off-street Parking Ordinance. All two car garages shall have the interior dimensions of 20-foot width by 19-foot depth. The dimensions shall be shown on plans. No doors, stairs, landings, laundry facilities, trash/recycle containers or HVAC shall project within the required interior parking areas.

Landscape Division

39. Prior to application for a building permit, a Precise Plan shall be submitted for approval by the Planning Director and shall include detailed landscaping and irrigation plans, detailed plans for all site amenities, details for decorative paving, decorative electroliers, details for fencing, walls, architectural plans, sign details, samples of exterior colors and building materials, and screening of all above-ground utilities, transformers and utility meters. The precise plan shall also reflect the design of other public improvements.

40. Project data sheet or the first sheet of the landscape plan shall provide the following project information requested in the Hayward Environmentally Friendly Landscape Guidelines and Checklist: Total project size in square feet, required common open spaces per the City Ordinance and planned common open spaces, total irrigated landscape area in square feet, turf area in square feet, Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use (ETWU). The provided MAWA and ETWU didn't use the most current standard in both the Hayward Environmentally Friendly Landscape Guidelines and Checklist and the City's Bay-Friendly Water Efficient Landscape Ordinance.

41. The base information for all submitted plans must match.

42. Even though the submitted landscape plan is an illustrative conceptual plan, the landscape design shall incorporate plant materials which work for the location and space allowed. Total quantity of proposed trees should not differ substantially on the landscape improvement plan unless major changes occur to the development plan: See Civil's TM.4 plan for proposed water, sewer and storm drain lines through the central area, Parcel C.

43. Submit a revised arborist report that complies with the requirements in the City's Tree Preservation Ordinance. The report shall include Magnolia trees on Filbert Street and the appraised value for both Magnolia and Sycamore trees. The report shall be reviewed and approved by the City. The appraisal shall use the latest edition of "Guide for Plant Appraisal" by the International Society of Arboriculture. Provide ISA worksheet per each trees are subjected for valuation.

44. A tree preservation bond that equals the approved appraised value of the trees that would be impacted from the development will be required prior requesting a grading permit.

45. The arborist report shall also include recommendations for protecting existing trees during the entire construction period.

46. Every unit shall have a minimum of one 24"-box tree in the front yard in addition to the street tree requirements. Parcels that front interior streets/driveways shall be subjected to the same street tree planting requirements.

47. The minimum dimension for planting width shall be 5 feet in all directions measured from edge to edge of paving or back of curb.

48. The six feet lattice top with wire mesh bottom fence is proposed at the back of sidewalk at Lot 30, 31 and 36 is not acceptable. Wire mesh portion of the fence shall be replaced with solid wood panels and buffer planting area shall be provided between the proposed fence and the sidewalk to soften the street frontage. The solid fence at the proposed location could be considered when the fence would be constructed with high quality finished wood with trellis on the top, and an adequate planting that could properly cover the fence and the trellis from the planting areas immediately next to the fence must be provided.

49. Landscape submittal must comply with the requirements in the Hayward Environmentally Friendly Landscape Guidelines and Checklist. Some of the missing information includes, but is not limited to, a landscape concept statement, watering requirements for proposed plants, and a better-defined hydrozone map.

50. Do not place high and low water requiring plants into one hydrozone and put them on the same irrigation valve. When creating a hydrozone map, the locations and microclimate zones of the proposed planting areas, mostly in narrow strips between buildings, must be taken into considerations in addition to the sun orientation.

51. Site lighting plan doesn't indicate the proposed light level to maintain. Provide information on desired light level and photometric demonstrating maintaining the desired level.

52. Coordinate with the project civil engineer and use one name for the bio-treatment: Civil used "bioretention area," Landscape architect used "bio-retention basin" and "bioswale." The term "bioswale" is no longer used and no longer allowed. Please refer to all as "bio-treatment" areas.

53. The central bio-treatment area shall be integrated into the overall landscape design rather than defining a narrow uniform strip. There is no plant reference for this area in the site plan.

54. The visual prominence of the fenced bio-retention area at the corner of B and Filbert Street calls for a better integrated and attractively designed rain garden, if a concentrated bio-retention area must be created. When it is designed well, it could serve as an educational tool teaching the purpose and the operations of rain garden for school children across Filbert Street and neighboring public with interpretative signs, and provide an attractive pedestrian connection to the development. This area should not be seen as a depressed grassy open space with a low metal picket fence.

55. Permeable pavers should be considered as an alternative paving material for private streets/driveways including the entry driveways to the development not only as a visual enhancement but as a way to reduce the total amount of impervious surface and reduce the total required bio-treatment area rather than relying on small amount of proposed planting areas for meeting the stormwater treatment requirements.

56. All trees shall be planted a minimum of 5-foot away from any underground utilities, a minimum of 15 feet from a light pole, and a minimum 30 feet from the face of a traffic signal, or as otherwise specified by the city. Trees shall be planted according to the City Standard Detail SD-122 and the detail shall be included in the landscape plans.

57. Root barriers for trees are required for trees planted in planting areas that are narrower than 7 feet against the curb. Minimum 10 feet long root barriers centered from the center of tree trunk shall be installed against back of curb or paving, and not around the tree rootballs.

TRACT IMPROVEMENTS PLANS

Engineering Division

58. Tract Improvement Plans shall be approved in concurrence with the Precise Development Plan. In concurrence with the submittal of Precise Development Plan submittal, submit the following proposed improvement plans with supporting documents, reports and studies:

    a) Three original Geotechnical Investigation Reports for the proposed development prepared by a State of California licensed Professional Engineer who is authorized to prepare such report;

    b) Sixteen full size (22”x34”) sets of Preliminary Tract Improvement Plans including Grading and Erosion and Sediment Control Plans. Two sets of plans shall have original signatures;

    c) Five sets of Drainage Plan, Hydrology map with supporting calculations and reports;

    d) Five sets of Cleanwater treatment plan with supporting calculations and reports;

    e) Three original Storm Water Pollution Prevention Plans (SWPPP) prepared by a Qualified SWPPP Developer (QSD);

    f) Sixteen full size (22”x34”) sets of Landscaping and irrigation plans prepared by a State of California licensed Landscape Architect. These sets of plans shall be submitted in concurrence with the Preliminary Improvement Plans;

    g) Ten sets of Preliminary Final Map;

    h) A complete Development Building Application Information Form consisting of: 1) Impervious Material Form and 2) Operation and Maintenance Information Form, which is available at Public Works Engineering and Transportation Division.

Utilities

59. Provide water demand (gallons per minute) on the improvement plans so that proper water pipe and meter size may be determined. Calculations shall be based upon fixture units using current California Plumbing Code. Water meters serving each single-family residence shall be sized large enough to serve both domestic and fire sprinkler system.

PRIOR TO GRADING ACTIVITIES AND DURING ON-SITE CONSTRUCTION

60. Unless other stated, all documents, agreements, required improvement bonds or securities, completely signed improvement plans, and signed final map shall be submitted to the City for approval prior to presenting to the City Council for approval.

61. A copy of these approved conditions of approval shall be inscribed on full-sized sheets in the tract improvement plan sheets.

62. If any appropriate historical artifacts are unearthed on the site within the area covered by the final map in connection with the construction of the proposed project than all ground-disturbing activities within 30 feet of where the artifacts is found shall be immediately stopped and an archaeologist shall be called to monitor and evaluate the resource.

63. If any human remains are found during grading or construction, all ground-disturbing activities shall be immediately stopped and the following parties must be contacted: The City of Hayward Planning Director, the contractor's point of contact, the Coroner of the County of Alameda, the native American Heritage Commission (NAHC) in Sacramento and the Yrgin band of Ohlones.

64. Prior to any construction or grading activities on site, the contaminated soil remediation, as identified in the Phase I Environmental Site Assessment and the Phase II Soil Quality Evaluation conducted on the project site by TRC Lowney in 2006, shall occur.

65. Prior to the issuance of a grading permit and/or the beginning of any construction activity on-site, detailed grading, erosion and sediment control measures and drainage plans with supporting calculations and a completed Drainage Review Checklist shall be reviewed and approved of the City Engineer.

66. Prior to the issuance of a grading permit and/or the beginning of any construction activity on-site, the developer/subdivider's Engineer shall submit a completed 1) Development and Building Application Information: Impervious Surface Form, 2) Operation and Maintenance Information for Stormwater Treatment Measures Form, and 3) Information Request for Stormwater Treatment Measures Maintenance Agreement Form.

67. Prior to the issuance of a grading or building permit, the developer/subdivider shall provide a tree preservation bond, surety or deposit, equal in value to the trees to be preserved. The bond, surety or deposit shall be returned two years after the tract is accepted if the trees are found to be in a healthy, thriving and undamaged condition. The developer/subdivider shall provide an arborist's report evaluating the condition of the trees at that time.

68. Prior to the issuance of a tree removal permit, landscape plans including a tree mitigation summary shall be submitted to the City Landscape Architect for review and approved. That approved landscape plans and a summary of list of trees to be removed shall be attached to the tree removal permit.

69. Recommendations of the project geotechnical consultants, Terrasearch Inc., shall be implemented, including those related to ground-motion parameters for use in structural design of buildings.

70. Geotechnical Investigation Report, Tract Improvement Plans, Grading and Erosion Control Plans, Drainage plans and calculations, SWPPP, and Landscaping and irrigation plans shall be reviewed and approved by the City Engineer. Subject plans shall, in addition to the standard improvements, incorporate the following conditions and design requirements:

Public Streets

B Street:

a) All existing utility poles and overhead utility lines along the project B Street frontage shall be removed and placed underground. Location of utility joint trench shall be reviewed and approved by the City Engineer.

b) Existing easement shall be dedicated as right-of-way for the installation of a pedestrian ramp at corner of B and Myrtle Streets.

c) Standard LED street lights shall be installed along the project B Street frontage.

d) Existing improvements along B Street shall be removed and replaced with new Portland Cement Concrete as follows: new four-foot sidewalk shall be installed along the property line, and new curb and gutter may be realigned to release stresses to existing trees as recommended by the Arborist. Location of new curb and gutter alignment shall be based on the Arborist's recommendation and as approved by the City Engineer.

e) Remove and reconstruct the existing pedestrian ramp on the southwest corner of B Street and Myrtle Street.

f) Half width of B Street pavement section shall be ground two inches and overlaid with new asphalt pavement. Pavement tie-in shall be seven inches of deep lift asphalt and a minimum of four feet wide.

g) B Street from Filbert Street to Myrtle Street shall be restriped, including parking stall markers.

h) Two new private individual driveway approaches are allowed on B Street.

C Street:

i) Existing improvements along C Street shall be removed and replaced with new Portland Cement Concrete as follows: new four-foot sidewalk shall be installed generally along the property line and meandered at the proposed private entry road 'B,' new curb and gutter shall be constructed generally four-foot toward C Street centerline from its original location. Curb returns and bulb-outs shall be designed to facilitate street sweeping. Five pedestrian ramps shall be installed along C Street. Pavement tie-in shall be seven inches of deep lift asphalt and a minimum of four feet wide.

j) Existing easement shall be dedicated as right-of-way for the installation of a pedestrian ramp at corner of C and Myrtle Streets

k) C Street from Filbert Street to Myrtle Street shall be restriped, including parking stall markers.

l) One new private individual driveway approach is allowed on C Street.

m) Project entrance on C Street shall be a standard street opening conforming to City SD-110A.

Myrtle Street:

n) All existing utility poles and overhead utility lines along the project Myrtle Street frontage shall be removed and placed underground.

o) Half width of Myrtle Street pavement section shall be removed and replaced with at least seven-inch full depth asphalt pavement section.

p) Existing improvements along Myrtle Street shall be removed and replaced with new Portland Cement Concrete as follows: new four-foot sidewalk shall be installed generally four-foot away from the property line and meandered at the proposed private entry road 'A,' new curb and gutter shall be constructed generally three-foot toward Myrtle Street centerline from its original location. Curb returns and bulb-outs shall be designed to facilitate street sweeping.

q) Four pedestrian ramps shall be installed along Myrtle Street: one each at the northwest and northeast corners of Myrtle and C Street; and on either side of the main entrance off Myrtle Street.

r) Myrtle Street from B Street to C Street shall be restriped, including parking stall markers.

s) Two new private individual driveway approaches are allowed on Myrtle Street.

t) Project entrance on Myrtle Street shall be a street type opening conforming to City SD-110A.

Filbert Street:

u) Any damaged and/or broken sidewalk along Filbert Street project frontage as determined by the City Engineer or his/her designee shall be removed and replaced.

v) Full width of Filbert Street pavement section where street section is proposed to be cut for installation of underground utilities shall be ground two inches and overlaid with new asphalt pavement. The existing Portland cement concrete valley gutter at the intersection of Filbert and B Streets shall be removed and replaced after the installation of underground utilities.

w) One pedestrian ramp shall be installed at the northeast corner of Filbert Street and C Street providing connection to Burbank Elementary School.

x) One new private individual driveway approach is allowed on Filbert Street.

y) Filbert Street from B Street to C Street shall be restriped, including parking stall markers.

Private Streets

z) Proposed private street improvements shall be designed, generally reflective of the alignment and width shown on the submitted vesting tentative tract map, and as approved by the City Engineer.

aa) The two private streets shall have twenty-two-foot right-of-way with travel lane width of twenty-one-foot measuring from the face of curb to face of curb and shall be constructed to the same standards as a public street.

bb) The private streets shall be designed to facilitate street sweeping, including the layout of trees and pedestrian ramps. The Homeowners' Association shall be responsible for street sweeping on a regular basis.

cc) At least ten feet of decorative pavement section e.g. interlocking pavers or stamped colored concrete, or bands of decorative paving, etc. shall be installed at the project entrances from the front property line. One foot concrete band shall be provided around decorative materials. The Planning Director shall approve the material, color and design and the City Engineer shall approve the pavement section for the decorative paving. Decorative pavements shall be capable of supporting a 75,000 lb. GVW load.

dd) Upon any necessary repairs to the public facilities under the on-site decorative paved areas, the City shall not be responsible for the replacement cost of the decorative paving. The replacement cost shall be borne by the homeowners' association.

ee) No on-street parking shall be allowed within the two private streets. The curbs shall be painted red and "No Parking" signs shall be installed along the sides of the private streets. The locations of signs and red curbs shall be approved by the Fire Chief and City Engineer.

ff) The on-site streetlights and pedestrian lighting shall have a decorative design approved by the Planning Director. The locations of the lights shall be shown on the improvement plans and shall be approved by the City Engineer. Submit a copy of the photometric plans with the improvement plans. Such fixtures shall have shields to minimize "spill-over" lighting on adjacent properties that are not part of the tract. New project are required to comply with the Green Building Standards which require new projects to have zero direct-beam illumination leaving the site and exterior luminaries must be shielded allowing no more than .01 foot-candle to escape 15 feet beyond the site boundary.

gg) All rolled curb and gutter shall have eighteen-inch gutter. The height of the curb from flow line to top of curb shall be four inches. The high side of the street shall have a rolled curb with a spill gutter.

hh) The interior intersections shall be designed to meet Fire Department access and turning movements. Pedestrian ramps shall be installed to facilitate access and circulation throughout the development.

ii) The private street shall be designed with a TI of five and minimum AC thickness of four inches.

Storm Drainage

71. The on-site storm drain system shall be a private system owned and maintained by the homeowners' association.

72. Minimum storm drain pipes in the street shall be 12-inch in diameter RCP pipes. Minimum cover over the pipe shall be three feet.

73. The development shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the hydrology design shall clearly indicate all areas tributary to the project site. Mitigation measures will be required to mitigate augmented runoff with off-site and/or on-site improvements.

74. The latest edition of the Alameda County Flood Control and Water Conservation District's Hydrology and Hydraulics Criteria Summary shall be used to design the storm drain system. A

detailed grading and drainage plan with supporting calculations and a completed Drainage Review Checklist shall be submitted, which shall meet the approval of the City Engineer, and in case of referral, the Alameda County Flood Control and Water Conservation District.

75. The storm drains in the street shall be located one foot from the face of curb for pipes up to twenty four inches in diameter.

76. No surface runoff is allowed to flow over the sidewalks and/or driveways. Area drains shall be installed behind the sidewalks to collect all runoff from the project site.

77. All storm drain inlets must be labeled "No Dumping - Drains to Bay," using City-approved methods.

78. An erosion and sedimentation control plan to prevent soil, dirt, debris and contaminated materials from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook shall be approved by the City Engineer prior to implementing throughout project construction.

Stormwater Quality Requirements:

79. A Storm Water Pollution Prevention Plan shall be submitted with a design to reduce discharge of pollutants and sediments into the downstream storm drain system for review and approval of the City Engineer.

80. The project plans shall include the storm drain design in compliance with post-construction stormwater requirements to provide treatment of the stormwater according to the National Pollutant Discharge Elimination System (NPDES) permit's numeric criteria. The storm drain design shall comply with the C.3 established thresholds and shall incorporate measures to minimize pollutants to the maximum extent practicable (MEP).

81. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prevent the entry of pollutants into storm water runoff. Roof leaders shall discharge into a landscaped area or a grassy swale prior to stormwater runoff entering an underground pipe system.

82. The proposed BMPs shall be designed to comply with the hydraulic sizing criteria listed in Provision C.3 of the Alameda County Clean Water Program (ACCWP) NPDES permit (page30). In addition, the California Stormwater Quality Association's Stormwater Best Management Practice Handbook New Development and Redevelopment, Subsection 5.5 on pages 5 – 12 has a section titled "BMP Design Criteria for Flow and Volume." Those materials are available in the internet at www.cabmphandbooks.com for your reference.

83. The project should be designed to direct runoff to the landscaped yards and common space, prior to entering into the underground pipe system. Unit pavers should also be considered for impervious areas such as the driveways, parking areas and fire truck turnarounds.

84. The developer/subdivider is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.

85. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Where feasible, as determined by the City Engineer and Landscape Architect, landscaping should be designed and operated to treat stormwater runoff. Landscaping shall also comply with the City's "water efficient landscape ordinance."

86. Required water system improvements shall be completed and operational prior to the start of combustible construction.

87. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the Planning Director or City Engineer:

    a) Grading and site construction activities shall be limited to the hours 7:30 AM to 6:00 PM Monday through Friday with no work on weekends and Holidays unless revised hours and days are authorized by the City Engineer. Building construction hours are subject to Building Official's approval.
    b) Grading and construction equipment shall be properly muffled.
    c) Unnecessary idling of grading and construction equipment is prohibited.
    d) Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential units.
    e) Developer/subdivider shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise.
    f) The developer/subdivider shall participate in the City's recycling program during construction.
    g) Daily clean up of trash and debris shall occur along all peripheral streets and other neighborhood streets utilized by construction equipment or vehicles making deliveries.
    h) The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions.
    i) All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site.
    j) All unpaved access roads, parking areas and staging areas at construction sites shall be paved, have water applied three times daily, or non-toxic soil stabilizers applied.
    k) All paved access roads, parking areas and staging areas at construction sites shall be swept daily (with water sweepers).
    l) Inactive construction areas (previously graded areas inactive for 10-days or more) shall have non-toxic soil stabilizers applied, or shall be hydroseeded.

m) Exposed stockpiles (dirt, sand, etc.) shall be enclosed, covered, watered twice daily or applied with non-toxic soil binders.
n) Construction debris shall be gathered on a regular basis and placed in a dumpster or other container that is emptied or removed on a weekly basis. When appropriate, tarps on the ground are to be used to collect fallen debris or splatters that could contribute to storm water pollution.
o) The sidewalks and public street pavement adjoining the project site shall be broom-swept on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping.
p) All dirt, gravel, rubbish, refuse and green waste from the sidewalk, street, and storm drain system adjoining the project site shall be removed. During wet weather, driving vehicles off paved areas and other outdoor work areas shall be avoided.
q) No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place.
r) Filter materials (such as sandbags, filter fabric, etc.) shall be installed at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season; 2) site dewatering activities; 3) street washing activities; or 4) saw cutting asphalt or concrete activities, or in order to retain any debris or dirt flowing into the storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles shall be properly disposed in the trash.
s) A contained and covered area shall be created on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill.
t) Cleaning machinery, tools, brushes, etc., or rinsing containers, into a street, gutter, storm drain or stream is prohibited (see City's *"Building Maintenance/Remodeling"* flyer for more information).
u) Concrete/gunite supply trucks or concrete/plasters finishing operations shall not discharge washwater into street gutters or drains.
v) The developer/subdivider shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County Department of Health and the Regional Water Quality Control Board.

88. The developer/subdivider shall be responsible to adhere to all aspects of the approved Storm Water Pollution Prevention Plan (SWPPP) per the aforementioned condition of approval.

89. A representative of the project soils engineer shall be on the site during grading operations and shall perform such testing as deemed necessary by the City Engineer. The representative of the soils engineer shall observe all grading operations and provide any recommended corrective measures to the contractor and the City Engineer.

90. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The developer/subdivider shall require the soils engineer to submit daily all testing and sampling and reports to the City Engineer or his or her designee.

91. Tree preservation and protection measures, as required by the City Landscape Architect, shall be included in grading and improvement plans. Trees shall be fenced at the drip line throughout the construction period and shall be maintained in a healthy condition throughout the construction period. Where trees are being removed, mitigation for the removed trees equal to their value shall be provided as outlined in the City Tree Preservation Ordinance.

92. Tree protection measures information shall be provided for the off-site trees that are proposed to remain in place, where the site improvements or home construction would occur within the drip lines of such trees.

93. All common area landscaping, irrigation and other required improvements shall be installed according to the approved plans.

PRIOR TO FILING OF FINAL MAP

94. Submit the following documents for review, approval or for project records:

    a) Copy of the Notice of Intent filed with State Water Resources Control Board;

    b) Signed Stormwater Treatment Measures Maintenance Agreement;

    c) Engineer's estimate of costs, including landscape improvements;

    d) Signed Final Map;

    e) Signed Subdivision Agreement;

    f) Subdivision bonds.

95. Final Map shall be approved by the City Council. The City Council meeting will be scheduled approximately sixty days after the Final Map is deemed technically correct, and Improvement Plans with supporting documents, reports and agreements are approved by the City Engineer.

96. The final map shall reflect all easements needed to accommodate the public portions of the sanitary sewer and water systems that are outside of the private streets. The easements shall be a minimum of 12 feet wide. The private streets shall be designated as a Public Utility Easement (PUE), Public Assess Easement (PAE), Water Line Easement (WLS), Sanitary Sewer Easement (SSE) and Emergency Vehicle Access Easement (EVAE).

97. Pedestrian access easement (PAE) shall be created for those locations designated as pedestrian access shown on the approved Vesting Tentative Tract Map 7991.

98. Prior to the approval of the final map, all documents that need to be recorded with the final map shall be approved by appropriate department managers, and any unpaid invoices or other outstanding charges accrued to the City for the processing of the subdivision application shall be paid.

AGREEMENTS

99. The developer/subdivider shall execute a subdivision agreement and post bonds with the City that shall secure the construction of the public improvements per Section 10-3.332 of the Municipal Code: Security for Installation of Improvements. Insurance shall be provided per the terms of the subdivision agreement.

100. The Stormwater Treatment Measures Maintenance Agreement for the project, prepared by Public Works Engineering and Transportation Division staff, shall be signed and recorded in concurrence with the Final Map at the Alameda County Recorder's Office to ensure that the maintenance is bound to the property in perpetuity.

PRIOR TO CERTIFICATE OF OCCUPANCY

101. The final map shall be filed and approved by the City and recorded in the County Recorder's Office prior to the issuance of a Certificate of Occupancy of any unit.

102. Prior to a Certificate of Occupancy for any unit, the project applicant shall annex into the City's Communities Facilities District to off-set any impacts to City services.

103. The Homeowners' Association (HOA) shall be formed and the Conditions, Covenants, and Restrictions (CC&R's) shall be created so that the HOA will be responsible for maintaining all private streets, private street lights, private utilities, and other privately owned common areas and facilities on the site, including, but not limited to Cleanwater treatment facilities, landscaping, preservation and replacement of trees, as well as decorative paving. For any necessary repairs performed by the City in locations under the on-site decorative paved areas, the City shall not be responsible for the replacement cost of the decorative paving. The replacement cost shall be borne by the HOA established to maintain the common areas within the association boundary. The common area landscaping includes all areas except the private rear yards and the homes. The CC&R's will also contain a standard condition that if the homeowners' association fails to maintain the common areas; private streets, lights and utilities, the City of Hayward will have the right to enter the subdivision and perform the necessary work to maintain these areas and lien the properties for their proportionate share of the costs.

104. Prior to the sale of any lot to an individual owner (and not another developer or builder) or prior to the acceptance of site improvements, whichever first occurs, a homeowners' association shall be created to maintain the private streets, and common area landscaping as depicted on the approved Vesting Tentative Tract Map. The developer shall prepare the CC&R's prepared for the project and the CC&R's shall be reviewed and approved by the Planning Director. The CC&R's shall include the following conditions:

a) Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses.

b) A statement regarding all HOA fees shall be provided to homeowners on bright paper.

c) A reserve fund shall be maintained to cover the costs of replacement and repair of the private streets and private common area landscaping including the "paseos."

d) The association shall be managed and maintained by a professional property management company.

e) The homeowners' association shall be responsible for maintaining all private streets and other privately owned common areas and facilities on the site including landscaping. These maintenance responsibilities shall include implementing all stormwater BMPs associated with improvements and landscaping. The CC&R's shall describe how the stormwater BMPs associated with privately owned improvements and landscaping shall be maintained by the association.

f) The private streets and common landscaped areas shall be maintained in good repair, and free of debris at all times.

g) A requirement that the building exteriors, fences, and walls shall be maintained free of graffiti. Each owner shall inspect the premises on a weekly basis and any graffiti shall be removed within 72 hours of inspection or within 72 hours of notification by the City's Community Preservation Officer.

h) The homeowners' association shall maintain the common area irrigation system and maintain the common area landscaping in a healthy, weed–free condition at all times. The homeowner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30 percent dieback) shall be replaced within 10 days.

i) Landscaping and irrigation shall be maintained in all common areas or the City shall have the right to enter upon the property to maintain the exterior portions of the common area at the expense of the homeowners association pursuant to and to the extent authorized by Section 10-3.385 of the Subdivision Ordinance.

j) The trees planted within the public streets shall be maintained and retained by the Homeowners Association. The homeowners association shall be responsible for replacing any tree removed within the landscape areas with a like kind/like size tree as others within the subdivision. The tree shall be replaced within 30-days of notification of its removal.

k) Trees shall not be severely pruned, topped, or pollarded and any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the Landscape Architect, within the timeframe established by the City and pursuant to the Municipal code.

l) Pursuant to and to the extent authorized by Section 10-3.385 of the Subdivision Ordinance, a provision that if the homeowners' association fails to maintain the common area or private streets, so that owners, their families, tenants, guests or adjacent owners suffer or will suffer substantial diminution in the enjoyment, use or property value of the

project, the City of Hayward shall have the right to enter upon the project and to commence and complete such work as is necessary to maintain the common areas and private streets, after reasonable notice, and lien the properties for their proportionate share of the costs.

m) The garage of each unit shall be maintained for off-street parking and shall not be converted to living or storage areas. An automatic garage door opening mechanism shall be provided for all garage doors.

n) The homeowners association shall maintain in good repair all fencing, parking and street surfaces, common landscaping, lighting, drainage facilities, project signs, etc. The CC&Rs shall include provisions as to a reasonable time period that a unit shall be repainted, the limitations of work (modifications) allowed on the exterior of the building, the formation of a design review committee and its power to review changes proposed on a building exterior and its color scheme, and the right of the homeowners association to have necessary work done and to place a lien upon the property if maintenance and repair of the unit is not executed within a specified time frame. The premises shall be kept clean.

o) Utility meters, when not enclosed in a cabinet, shall be screened by either plant materials or decorative screen, allowing sufficient access for reading.

p) Any future modification to the approved site plan shall require review and approval by either the Planning Director or the Planning Commission as provided in the Municipal Code and Development Agreement.

q) Future additions to units are prohibited.

r) The CC&Rs shall specify the outdoor collection locations of trash and recycle containers. In addition, trash and recycle containers shall not be moved to the collection location more than 24 hours prior to collection and shall be removed within 24 hours after collection.

105. Park Dedication In-Lieu Fees are required for all new dwelling units. Fees shall be those in effect at the time of issuance of the building permit. All Park dedication in-lieu fees shall be paid prior to issuance of a Certificate of Occupancy for a residential unit.

106. Prior to issuance of a Certificate of Occupancy for any of the new dwelling units, the applicant shall submit documentation demonstrating the building(s) has/have been GreenPoint Rated in accordance with the City's Green Building Ordinance. Each home is required to meet a minimum of 100 points on the GreenPoint Rated checklist. Alternatively, the applicant may seek LEED silver certification for each of the homes. Documentation about the additional green features, including the charging stations within the garages, the solar packages and solar water heaters shall be provided for each unit. As shown on the proposed plans, documentation shall be provided that each home includes the baseline 2.5kW solar energy package. Documentation shall also be provided to the city regarding the LEED Neighborhood Design certification being sought for the development.

107. The final map shall be approved by the City and filed in the County Recorder's Office prior to the issuance of a Certificate of Occupancy of any unit.

108. The developer/subdivider shall be obligated for the following fees. The amount of the fee shall be in accordance with the fee schedule in effect at the time Vesting Tentative Map was accepted as complete, unless otherwise indicated hereinafter:

a) Supplemental Building Construction and Improvement Tax;

b) Building Construction and Improvement Tax;

c) School Impact Fee;

d) Water Facilities Fee and Sewer Connection Fee for each dwelling unit at the rate in effect when the utility service permit for the dwelling unit is issued;

109. Prior to granting occupancy, water service meters shall be installed by water distribution personnel at the developer/subdivider's expense. The application for water services shall be presented to the City Inspector.

110. Prior to the City installing the water meters, the developer/subdivider shall provide the Public Works-Utilities with certified costs covering the installation of the public water mains and appurtenances.

PRIOR TO CITY APPROVAL OF THE TRACT IMPROVEMENTS AS BEING COMPLETED

111. All tract improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.

112. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80 percent of the dwelling units, whichever first occurs.

113. The improvements associated with the Pacific Gas and Electric Company, AT&T (phone) company and local cable company shall be installed to the satisfaction of the respective companies.

114. The developer/subdivider shall submit an "as built" plans on mylars and in compact disc containing files in PDF format, or acceptable formats, containing the following:

a) All underground facilities, sanitary sewer mains and laterals, water services (including meter locations), Pacific Gas and Electric, AT&T (phone) facilities, local cable company, etc.

b) All the site improvements, except landscaping species, buildings and appurtenant structures.

CITY OF HAYWARD
MITIGATED NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that could not have a significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION:

Project title: Residual Burbank School Site; Zone Change Application No. PL-2010-0403 and Tentative Tract Map Application No. PL-2010-0405

Description of project: Request to change the Zoning from Medium Density Residential to Planned Development and to subdivide the property to construct fifty-seven detached single family homes. The project site is approximately 3.84 acres and is bounded by B Street, C Street, Myrtle Street and Filbert Street.

II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

The proposed project, with the mitigation measures identified in the attached initial study checklist, will not have a significant effect on the environment.

FINDINGS SUPPORTING DECLARATION:

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project, with the recommended mitigation measures, could not result in significant effects on the environment.

2. The project will not adversely affect any scenic resources. A lighting plan will be required to ensure that light and glare do not affect area views. Also, compliance with the City's Design Guidelines will ensure visual impacts are minimized. Landscape plans will also be required to ensure that structures are appropriately screened.

3. The project will not have an adverse effect on agricultural land since the subject site is not used for such purposes, does not contain prime, unique or Statewide important farmland.

4. The project is consistent with the General Plan Land Use designation for the site and the Cannery Area Design Plan and will not result in significant impacts related to air quality.

5. The project, proposed on properties surrounded by other residential development and within an urbanized area, will not result in significant impacts to biological resources, including protected trees.

6. The project will not result in significant impacts to known cultural resources including historical resources, archaeological resources, paleonotological resources, unique topography or disturb human remains.

7. The project will not result in significant impacts to geology and soils as the site is not located within a geologic hazard zone or liquefaction zone. The project is located west of the Hayward fault, which poses potential risk to any development in the city of Hayward. Recommendations of the project geotechnical engineer will be required to be incorporated into project design and implemented throughout construction, to address such items as seismic shaking. Construction will also be required to comply with the California Building Code standards to minimize seismic risk due to ground shaking.

8. Any hazardous materials, including potential arsenic, lead and chlordane associated with historical pesticide and herbicide use on the property, will be required to be removed/treated in accordance with State and local regulations. A site clearance will also be required to be obtained from either the State Department of Toxic Substances Control or the Regional Water Quality Control Board.

9. The project will be required to meet all water quality standards as part of the normal development review and construction process, to be addressed in a Stormwater Pollution Prevention Plan and Erosion Control Plan that utilize best management practices. Drainage improvements will be required to accommodate stormwater runoff, so as not to negatively impact the existing downstream drainage system of the Alameda County Flood Control and Water Conservation District.

10. The project proposes amendments to the Hayward zoning designation for the site, but is still consistent with the overall density supported by the Hayward General Plan. In addition, the project will be required to be consistent with the City of Hayward's Design Guidelines.

11. The project will not result in any long-term noise impacts. Construction noise will be mitigated through restriction on construction hours, mufflers, etc., to be approved as part of the building permit.

12. The project will not result in significant impacts related to population and housing in that the amount of development proposed is within the range of development analyzed in the Hayward General Plan.

13. The project will not result in a significant impact to public services in that development is at least as intensive as that proposed was analyzed in the Hayward General Plan EIR and found to have less-than-significant impacts.

III. PERSON WHO PREPARED INITIAL STUDY:

Sara Buizer, AICP, Senior Planner
Dated: April 20, 2011

I. ***COPY OF ENVIRONMENTAL CHECKLIST IS ATTACHED***

For additional information, please contact the City of Hayward, Planning Division, 777 B Street, Hayward, CA 94541-5007, telephone (510) 583-4200

CITY OF
HAYWARD
HEART OF THE BAY

DEPARTMENT OF DEVELOPMENT SERVICES
Planning Division

INITIAL STUDY CHECKLIST

Project Title: Residual Burbank School Site

Lead Agency Name/Address: City of Hayward / 777 B Street, Hayward, CA 94541

Contact Person: Sara Buizer, AICP, Senior Planner

Project Location: Southwest corner of B Street and Myrtle Street

Project Sponsors Name/Address: Urban Dynamic LLC / 390 Bridge Parkway, Suite C, Redwood Shores, CA 94065

General Plan Designation: Medium Density Residential

Zoning: Medium Density Residential

Project Description: Request to change the Zoning from Medium Density Residential to Planned Development and to subdivide the property to construct fifty-seven detached single family homes.

Surrounding Land Uses and Setting: The project site is located within an already developed area just east of downtown Hayward. Surrounding land uses include residential and an elementary school.

Other Public Agencies Whose Approval is Required: None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐	Aesthetics	☐	Agriculture and Forestry Resources	☐	Air Quality
☐	Biological Resources	☐	Cultural Resources	☐	Geology /Soils
☐	Greenhouse Gas Emissions	√	Hazards & Hazardous Materials	☐	Hydrology / Water Quality
☐	Land Use / Planning	☐	Mineral Resources	☐	Noise
☐	Population / Housing	☐	Public Services	☐	Recreation
☐	Transportation/Traffic	☐	Utilities / Service Systems	☐	Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

√ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Sara M. Buizer

Sara Buizer, AICP, Senior Planner

Date 4/20/2011

EVALUATION OF ENVIRONMENTAL IMPACTS:

ENVIRONMENTAL ISSUES:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista? **Comment** *There are no designated scenic vistas in the vicinity of the project; thus, no impact.*	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to: trees, rock outcroppings, and historic buildings within a state scenic highway? **Comment** *The project is not located within a state scenic highway; thus, no impact.*	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings? **Comment** *The existing site was previously developed with an elementary school and currently is a vacant lot. The proposed single family homes will add to the visual character of the site; thus, no impact.*	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? **Comment** *The new residential units will add some additional light to this vacant property, but the amount is considered less than significant given the surrounding developed area; no mitigation is required.*	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? **Comment** *The project does not involve any Prime Farmland, Unique Farmland or Farmland of Statewide Importance; thus, no impact.*	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? **Comment** *The project site is not zoned for agricultural uses nor under a Williamson Act contract; thus, no impact.*	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? **Comment** *The project does not involve the rezoning of forest land or timberland; thus, no impact.*	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use? **Comment** *The project does not involve the loss of forest land or involve conversion of forest land; thus, no impact.*	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? **Comment** *The project does not involve changes to the environment that could result in conversion of Farmland or forest land; thus no impact.*	☐	☐	☐	☒
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan? **Comment** *The project is a residential in-fill project located near public transit and will not conflict with the goals of the air quality plan; thus no impact.*	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? **Comment** *The Bay Area Air Quality Management District (BAAQMD) has established screening criteria as part of their CEQA guidance to assist in determining if a proposed project could result in potentially significant air quality impacts. Based on the District's criteria, the proposed project screens below what would require additional evaluation; thus the proposed project will not violate any air quality standard and the impact is less than significant.*	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? **Comment** *The proposed project meets the screening criteria in Table 3-1 of the Air District's CEQA Guidelines; thus, it can be determined that the project would result in a less-than-significant cumulative impact to air quality from criteria air pollutants and precursor emissions.*	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations? **Comment** *The project is an in-fill development located in an already developed area that will not involve exposing sensitive receptors to substantial pollutant concentrations; thus the impact is less than significant.*	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people? **Comment** *The project is an in-fill residential development that will not create any objectionable odors; thus no impact.*	☐	☐	☐	☒
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? **Comment** *The project site had previously been developed with an elementary school and the site is located in an area that is largely developed and does not contain plant or wildlife special-status species; thus, no impact.*	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? **Comment** *The project area is largely developed and does not contain any riparian habitat or sensitive natural communities; thus, no impact.*	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? **Comment** *The project site, located in an urban setting, contains no wetlands; thus, no impact.*	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? **Comment** *The project site, located in an urban setting, and will not interfere with the movement of any migratory fish or wildlife species; thus, no impact.*	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? **Comment** *The project site does not contain any significant stands of trees. There are some large Sycamore trees along the B Street side of the project that will be conditioned to be protected during construction; thus, no impact.*	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? **Comment** *The project site is not located in an area covered by an adopted habitat Conservation Plan or Natural Community Conservation Plan; thus, no impact.*	☐	☐	☐	☒
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5? **Comment** *The project site is located in an area of Hayward that has historic or architectural character. The project has been designed to comply with the design standards of the Streetcar District; thus the impact to a historical resource is considered to be less-than-significant.*	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? **Comment** *There are no known archaeological resources in the vicinity; thus, no impact.*	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? **Comment** *There are no known paleontological resources or unique geological features on or near the site; thus, no impact.*	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries? **Comment** *There are no known human remains nor cemeteries nearby the project site; however, standard procedures for grading operations would be followed during development, which require that if any such remains or resources are discovered, grading operations are halted and the resources/remains are evaluated by a qualified professional and, if necessary, mitigation plans are formulated and implemented. These standard measures would be conditions of approval should the project be approved.*	☐	☐	☐	☒
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☐
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. **Comment** *The project site is located over 2600 feet west of the Hayward Fault zone; however, the building will be designed and constructed to withstand an earthquake; thus the impact is considered less-than-significant.*	☐	☐	☒	☐
ii) Strong seismic ground shaking? **Comment** *The project site is located just west of the downtown Hayward area which will most likely experience strong ground shaking in the event of an earthquake rupturing on the Hayward Fault; however, the building will be designed and constructed to withstand an earthquake; thus the impact is considered less-than-significant.*	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction? **Comment** *The project site is not located in an area prone to liquefaction due to seismic related ground failure; thus, no impact.*	☐	☐	☐	☒
iv) Landslides? **Comment** *The project site is a flat lot located just west of the downtown Hayward area and not located in an area impacted by landslides; thus, no impact.*	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil? **Comment** *The project site is a flat, vacant lot whereby minimal grading will take place to prepare the site for construction. The project will implement soil erosion measures during construction; thus the impact is considered less-than-significant.*	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? **Comment** *The project is not proposed on soil that is unstable; thus no impact.*	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? **Comment** *The project site does not contain any expansive soils; thus, no impact.*	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? **Comment** *The project will be connected to an existing sewer system with sufficient capacity and does not involve septic tanks or other alternative wastewater; thus, no impact.*	☐	☐	☐	☒
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? **Comment** *The Bay Area Air Quality Management District (BAAQMD) has established screening criteria as part of their CEQA guidance to assist in determining if a proposed project could result in operational-related impacts to Greenhouse Gases. The project exceeds the screening criteria for operational greenhouse gases; however, once the actual impact is calculated using the Urban Land Use Emissions Model (URBEMIS), it was determined that the operational impact resulted in 900 MT of CO^2e/year, which is below the threshold of 1100 MT of CO^2e/year; thus the impact is considered less-than-significant.*	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? **Comment** *As discussed in VIIa above, the project will not exceed the threshold for operation greenhouse gases. In addition, the project proposes incorporating such amenities as solar on many of the residential units as well as plug-in charging stations for electric vehicles in the garages; thus no impact.*	☐	☐	☐	☒
VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? **Comment** *The project is an in-fill residential project that does not involve the transport or use of hazardous materials; thus, no impact.*	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? **Comment** *The project does not involve the use of any hazardous materials so there will be no accidental release of hazardous materials; thus, no impact.*	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? **Comment** *The project is an in-fill residential project that does not involve the use of hazardous materials; thus, no impact.*	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? **Comment** *A Phase I Environmental Site Assessment and a Phase II soil Quality Evaluation was conducted on the project site by TRC Lowney in 2006. Shallow soil contamination was identified on the site in the form of arsenic, lead and chlordane along the former school fenceline at concentrations exceeding regulatory thresholds for residential use and was determined likely the result of historic pesticide and herbicide use during pest and weed abatement activities. The site will be cleaned-up prior to any residential construction on-site; thus impact will be mitigated to a level of insignificance.* **Mitigation Measure 1:** *The contaminated soil remediation shall occur prior to any construction or grading activities on site. With incorporation of this mitigation measure, impacts will be reduced to a less-than-significant level.*	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? **Comment** *The project is not located within an airport land use plan area; thus, no impact.*	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? **Comment** *The project is not located within the vicinity of a private air strip; thus, no impact*	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? **Comment** *The project site is bounded on all sides by publically maintained roads including B street, C Street, Myrtle Street and Filbert Street within an urbanized area and will not interfere with an adopted emergency response plans or evacuation plan; thus, no impact.*	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? **Comment** *The project site is not located within the City's Wildland Interface Area; thus no impact.*	☐	☐	☐	☒
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements? **Comment** *The project will comply with all water quality and wastewater discharge requirements of the city; thus, no impact.*	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? **Comment** *The project will be connected to the existing water supply and will not involve the use of water wells and will not deplete groundwater supplies or interfere with groundwater recharge; thus, no impact.*	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? **Comment** *The project site is an infill site that was previously developed with an Elementary School. All drainage from the site is required to be treated before it enters the storm drain system and there is sufficient capacity to handle any drainage from the property; thus, no impact.*	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? **Comment** *The project site is an infill site that was previously developed with an Elementary School. All drainage from the site is required to be treated before it enters the storm drain system and managed such that post-development run-off rates do not exceed pre-development run-off rates; thus, no impact.*	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? **Comment** *The project site is an infill site that was previously developed with an Elementary School. All drainage from the site is required to be treated before it enters the storm drain system and there is sufficient capacity to handle any drainage from the property; thus, the impact is considered less than significant.*	☐	☐	☒	☐
f) Otherwise substantially degrade water quality? **Comment** *The project site is an infill site that was previously developed with an Elementary School. All drainage from the site is required to be treated before it enters the storm drain system; thus, no impact.*	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? **Comment** *The project site is not located within a 100-year flood hazard area; thus, no impact.*	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? **Comment** *The project site is not located within a 100-year flood hazard area; thus, no impact.*	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? **Comment** *The project site is not located within a 100-year flood hazard area; thus, no impact.*	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow? **Comment** *The project site is not located within a 100-year flood hazard area; thus, no impact.*	☐	☐	☐	☒
X. LAND USE AND PLANNING -- Would the project:				
a) Physically divide an established community? **Comment** *The project site is a small in-fill site located within an existing community; thus, no impact.*	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? **Comment** *The project involves construction of fifty-seven new single-family homes and is consistent with the designated General Plan density. The project does include a request to modify the zoning designation; however, the Planned development designation is to allow for flexibility in the development standards, not to accommodate additional density not anticipated by the general Plan, thus no impact.*	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? **Comment** *The project site is not covered by any habitat conservation plan or natural community conservation plan; thus, no impact.*	☐	☐	☐	☒
XI. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? ? **Comment** *There are no known mineral resources on the project site; thus no impact.*	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? **Comment** *The project site is not identified as a site known to have mineral resources; thus, no impact.*	☐	☐	☐	☒
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? **Comment** *The project site is located within an already developed neighborhood and will not generate any noise levels in excess of standards established in the General Plan; thus, no impact.*	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? **Comment** *The project site is not located in an area where people will be exposed to groundborne vibrations nor will the project generate any groundborne vibrations; thus no impact.*	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? **Comment** *The project is a residential development and will not involve an increase in the ambient noise levels in the area; thus, no impact.*	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? **Comment** *Existing residential development will experience a slight increase in ambient noise levels during the construction of the proposed project;, construction is limited to the allowable hours per the City's Noise Ordinance; thus the impact is considered less-than-significant and no mitigation is required.*	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? **Comment** *The project is not located within an airport land use plan area; thus, no impact.*	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? **Comment** *The project is not located within the vicinity of a private air strip; thus, no impact*	☐	☐	☐	☒
XIII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? **Comment** *The project involves the construction of fifty-seven new residential units, however, the residential development is consistent with the density established by the City's General Plan; thus, no impact.*	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? **Comment** *The project involves the development of additional housing on a vacant lot and no housing will be displaced as a result of this project; thus, no impact.*	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? **Comment** *The project involves the development of additional housing on a vacant lot and nobody will be displaced as a result of this project; thus, no impact.*	☐	☐	☐	☒
XIV. PUBLIC SERVICES --				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☐	☐
Fire protection? **Comment** *The project is a housing development located within an urbanized area that is already served by police and fire; however the project will be conditioned to become part of the City's Communities Facilities District; thus no impact.*	☐	☐	☐	☒
Police protection? **Comment** *The project is a housing development located within an urbanized area that is already served by police and fire; however the project will be conditioned to become part of the City's Communities Facilities District; thus no impact.*	☐	☐	☐	☒
Schools? **Comment** *To off-set impacts to schools, the developer will be required to pay applicable school impact fees to the Hayward Unified School District; thus, the impact is considered less than significant.*	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Parks? **Comment** *To off-set impacts to parks, the developer will be required to pay park in-lieu fees to the Hayward Area Recreation and Park District; thus, the impact is considered less than significant.*	☐	☐	☒	☐
Other public facilities? **Comment** *Approval of the project may impact long-term maintenance of roads, streetlights and other public facilities; however, the project will be conditioned to become part of the City's Communities Facilities District; thus no impact.*	☐	☐	☐	☒
XV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? **Comment** *The project proposes to include some small common areas within the development and each residential unit provides a private side yard area. The development is also located approximately 500 feet east of Cannery Park and future residents will be able to utilize this facility. In addition, the developer will be required to pay applicable park in-lieu fees; thus the impact is considered less-than-significant.*	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? **Comment** *The project proposes to include some small common areas within the development and each residential unit provides a private side yard area. The development is also located approximately 500 feet east of Cannery Park and future residents will be able to utilize this facility. In addition, the developer will be required to pay applicable park in-lieu fees; thus the impact is considered less-than-significant.*	☐	☐	☒	☐

XVI. TRANSPORTATION/TRAFFIC --
Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? **Comment** *The project will not conflict with any plan regarding effective performance of the circulation system. The project is a residential project located near multiple public transportation options including BART, AC Transit and the Amtrak; thus, no impact.*	☐	☐	☐	☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? **Comment.** *No level of service will be impacted by the construction of the additional residential units on an existing in-fill lot; thus, no impact.*	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? **Comment** *The project involves no change to air traffic patterns; thus, no impact.*	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? **Comment** *The project has been designed to meet all City requirements, including site distance and will not increase any hazards; thus no impact.*	☐	☐	☐	☒
e) Result in inadequate emergency access? **Comment** *The project is on an in-fill site completely accessible and will not result in inadequate emergency access; thus, no impact.*	☐	☐	☐	☒

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? **Comment** *The project does not involve any conflicts or changes to policies, plans or programs related to public transit, bicycle or pedestrian facilities. . The project is a residential project located near multiple public transportation options including BART, AC Transit and the Amtrak; thus, no impact.*	☐	☐	☐	☒
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? **Comment** *The project will not exceed wastewater treatment requirements; thus no impact.*	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? **Comment** *There is sufficient capacity to accommodate the proposed project; thus, no impact.*	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? **Comment** *There is sufficient capacity to accommodate the proposed project; thus, the impact is considered less than significant.*	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? **Comment** *There is sufficient capacity to accommodate the proposed project; thus, no impact.*	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? **Comment** *There is sufficient capacity to accommodate the proposed project; thus, no impact.*	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? **Comment** *There is sufficient capacity to accommodate the proposed project; thus, no impact.*	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste? **Comment** *There is sufficient capacity to accommodate the proposed project; thus, no impact.*	☐	☐	☐	☒

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? **Comment** *The project will not have any impacts on wildlife or fish habitat nor eliminate a plant or animal community; thus, no impact.*

☐ ☐ ☐ ☒

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? **Comment** *Based on the checklist above, it has been determined that the project has the potential to have an impact on hazardous materials, yet remediation of the soil contamination will reduce those impacts to a less-than-significant level; thus no impact to cumulative impacts.*

☐ ☐ ☒ ☐

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? **Comment** *The project is consistent with both the Cannery Area Design Plan and the City of Hayward General Plan. Both documents are long-range documents that address desired goals and future development for the City of Hayward. Since the project is consistent with the adopted plans it is therefore not expected to cause substantial adverse effects on human beings either directly or indirectly; thus no impact is anticipated.*

☐ ☐ ☐ ☒

Residual Burbank School Site – Urban Dynamic Development Mitigation Monitoring and Reporting Program

Planned Development Application No. PL-2010-0403 PD;
Tentative Tract Map Application No. PL-2010-0405 (TTM 7991);
Urban Dynamic (Applicant)
City of Hayward (Owner)

April 26, 2011

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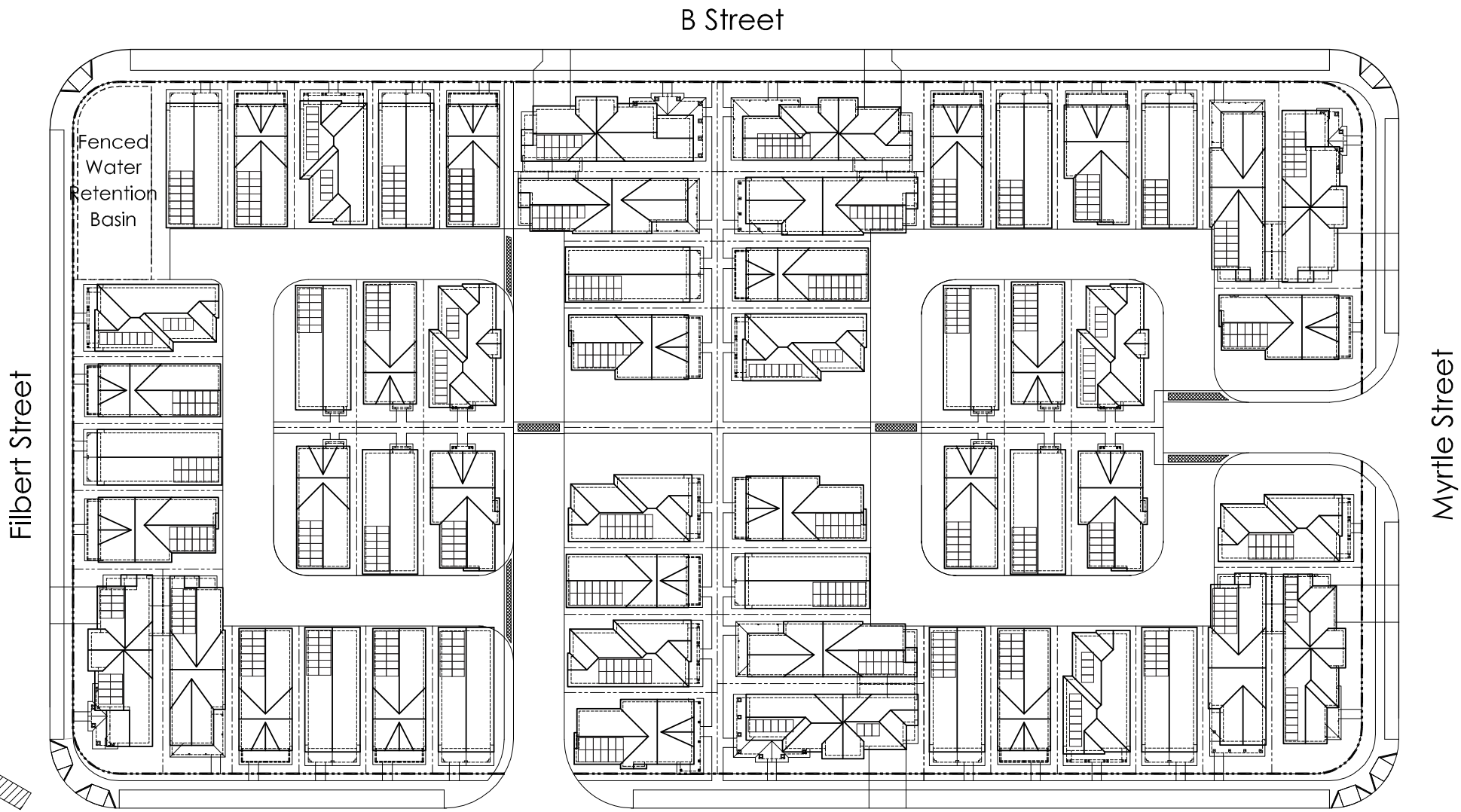
Significant Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
Impact VIII-d (Hazardous Materials): *A Phase I Environmental Site Assessment and a Phase II soil Quality Evaluation was conducted on the project site by TRC Lowney in 2006. Shallow soil contamination was identified on the site in the form of arsenic, lead and chlordane along the former school fenceline at concentrations exceeding regulatory thresholds for residential use and was determined likely the result of historic pesticide and herbicide use during pest and weed abatement activities. The site will be cleaned-up prior to any residential construction on-site; thus impact will be mitigated to a level of insignificance.*	**Mitigation Measure 1:** *The contaminated soil remediation shall occur prior to any construction or grading activities on site. With incorporation of this mitigation measure, impacts will be reduced to a less-than-significant level.*	Project developers, including project contractor.	City of Hayward Planning Division, Engineering and Transportation Division and Building Division	Prior to start of grading or construction.



Site Summary
Total Number of units: 57du
Net Site Area: 3.85 ac
Net Site Density: 14.81 du/ac

Site Plan1-Solar Study

0 20
10 40

Plan Summary
(28) Plan 1 - 1603 S.F.
(17) Plan 2 - 1846 S.F.
(6) Plan 3.1 - 2371 S.F.
(6) Plan 3.2 - 2423 S.F.

Urban Dynamic

Hayward B Street

Hayward, California

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KTGY Job# 2010-0387
February 25, 2011

1

CITY OF
HAYWARD
HEART OF THE BAY

DATE: May 26, 2011

TO: Planning Commission

FROM: Sara Buizer, AICP, Senior Planner

SUBJECT: **Zone Change Application No. PL-2010-0403 and Vesting Tentative Tract Map Application No. PL-2010-0405 – Perry Hariri of Urban Dynamic (Applicant); City of Hayward (Owner)** – Request to Change the Zoning from Medium Density Residential/SD-4 to Planned Development and to Subdivide the Property to Construct Fifty-Seven Detached Single Family Homes

The Project is Located on a 3.84-Acre Parcel at the Southwest Corner of B Street and Myrtle Street east of Burbank Elementary School

RECOMMENDATION

Staff recommends that the Planning Commission recommends approval to the City Council of the proposed project, including the adoption of the attached Mitigated Negative Declaration (MND), Mitigation Monitoring and Reporting Program, and approval of the Zone Change and Vesting Tentative Tract Map to build fifty-seven detached single-family homes, subject to the attached Findings and Conditions of Approval.

SUMMARY

This proposal from Urban Dynamic at the corner of B and Myrtle Streets is supported by staff because the proposed density, 14.8 dwelling units per acre, is consistent with the General Plan and Cannery Area Design Plan. The project is well-designed with high-quality architectural features that are reflective of the neighborhood character, including along B Street. In addition, the project proposes substantial green features including, but not limited to: (1) a standard solar package on all units with opportunities for upgrades; (2) a charging station within each garage for electric vehicles; and (3) the development is seeking a LEED Neighborhood Design designation for the project.

BACKGROUND

In 2001, the City Council adopted the "Cannery Area Design Plan" (Design Plan), amended the City's General Plan, and rezoned older industrial properties under the 120-acre Design Plan area, and adopted the Cannery Area Special Design Overlay District (SD-4).

The subject property was the former location of the Burbank Elementary School; under the Design Plan, the school site was relocated to the west and a new school was constructed. In August 2005, to assure that the facilities at the new Burbank Elementary School would be available for community use, the Hayward Area Recreation and Park District (HARD) and the Hayward Unified School District (HUSD) amended the "Master Facilities Use Agreement" to assure that the facilities at the new Burbank Elementary School would be available to be used for HARD activities when not in use for school or school-related activities.

On July 10, 2006, HUSD, HARD, and the City and the Redevelopment Agency entered into the "Public Facilities Development and Property Exchange Agreement" (the PFDA), which specified the land exchange and financial agreements for the Cannery Area public improvements. In accordance with the provisions of the PFDA, the Agency transferred the new Burbank School to HUSD in August 2008, and concurrently, HUSD transferred the undeveloped 3.84-acre portion of the former Burbank School to the Redevelopment Agency to facilitate the sale and redevelopment of the site. The area that was transferred to the Redevelopment Agency is referred to as the "Residual Burbank School Site."

In 2008, a proposal to amend the General Plan Land Use Designation, Change the Zoning District, and amend the Hayward Cannery Area Design Plan to facilitate the development of Medium Density Residential Uses on the project site was brought before the Planning Commission. The Planning Commission voted (5:2:0) to recommend denial of the proposal. The main concern expressed was that the Cannery Design Plan was not being implemented as envisioned by the community, Planning Commission, and the City Council. The removal of the community center component at this site, along with the removal of the potential for a neighborhood-serving retail component in 2005 on the southwest corner of the intersection of Burbank Street and Martin Luther King Drive adjacent to Cannery Park, raised some Commissioner's concerns regarding the cumulative effects on the development and viability of the Cannery neighborhood. In addition, concerns were expressed that the facilities available at Burbank Elementary School would not adequately meet the needs of, nor create a sense of belonging for, the Cannery area community. Furthermore, some Commissioners felt that residential development on this site would be too far from public transit, services, and shopping. The Planning Commission suggested that the site would better serve the community if developed with neighborhood serving commercial instead of medium density residential. In 2008, however, the City Council amended the Design Plan and the General Plan and Zoning designations for the subject property to facilitate a multi-unit residential development. At that time, Citation Homes was the developer anticipated for the project site; however, negotiations fell through and the site was once again available for development. In 2010, Urban Dynamic submitted an application to develop the site with fifty-seven detached single-family homes.

DISCUSSION

Project Description-

The project requires a Zone Change from Medium Density Residential/SD-4 to Planned Development, a Tentative Tract Map to subdivide the property in order to construct fifty-seven detached single-family homes. The project site is approximately 3.84 acres and the resulting density is 14.8 dwelling units per acre, consistent with the Medium Density General Plan

designation for the property, which allows up to 17.4 dwelling units per acre. The project site is bounded by B Street, Myrtle Street, C Street and Filbert Street, and is directly across Filbert Street from the new Burbank Elementary School.

The project site is located within an existing single-family residential neighborhood that includes a mix of one-and two-story single-family residential homes. The style of the homes in this neighborhood includes Victorian and Colonial-Revival as well as bungalows with some craftsman features. B Street is also characterized primarily by the large Sycamore trees which line the street. The site is located less than a half-mile from the downtown Hayward BART station and Amtrak station as well as many amenities within the downtown Hayward area, including City Hall, the library, and shopping and entertainment uses.

The project proposes two project entries with access points on Myrtle Street and C Street, away from the adjacent Burbank School. Most units have rear-loaded two-car garages and are accessed via these two private road entries. Six units have their own private driveway with direct access off the surrounding streets to accommodate more Plan 3 units. Staff has included Condition of Approval 38 requiring the use of decorative pavement for these six driveways. Each unit provides two covered parking spaces. The six units that have private driveways can also accommodate two cars within the driveways. All other guest parking, approximately 50 parking spaces, is available on the surrounding streets. Typically the City has allowed three parking spaces per unit for small lot single-family developments. A development of 57 units requiring three spaces per unit would require a total of 171 parking spaces. Between the covered parking, the spaces within driveways and the street parking, there are 176 parking spaces.

The front entries for the units are oriented toward the surrounding streets or common paseos and include covered porches. Each unit has a private side yard. The project includes three different plans ranging in size from 1,603 square feet to 2,407 square feet with Plan 1 offering 4 bedrooms, Plan 2 offering 3 bedrooms plus a loft and office, both of which can be converted to additional bedrooms, and Plan 3 showing 4 bedrooms with a loft that can be converted to an additional bedroom. The newly constructed detached units within the Cannery Area development and other single-family homes in this neighborhood are comparable in size to the proposed units. All units are two-story and will have either a Victorian or Craftsman architectural elevation consistent with the historical architectural style for this neighborhood. The high quality design of the architecture includes such features as low-pitched gabled roofs with multiple roof planes, exposed roof beams, porch supports that have sloping sides, casement windows, and use of horizontal lap siding and stone for the Craftsman elevations. Steeply-pitched gabled roofs, decorative trusses and porch support braces, elongated windows, and varied patterns of siding and shingles are incorporated in the Victorian elevations. All plans include ground-floor living space including kitchen with second-floor bedrooms. Two of the three floor plans, amounting to approximately half of the proposed units, include options for ground-floor bedrooms with bathrooms.

Inclusionary Housing Ordinance-

In January 2011, the City Council adopted an Ordinance providing interim relief from the Inclusionary Housing Ordinance effective until December 31, 2012. The Relief Ordinance allows a developer to pay an inclusionary housing in-lieu fee "by right" rather than providing the units on-

site. In this particular case, the applicant has indicated they will pay the in-lieu fee as allowed for in the Relief Ordinance. The in-lieu fee cost is $80,000 per affordable unit.

Rezoning to Planned Development District -
The proposal involves a modification of the current zoning designation from Medium Density Residential District to Planned Development District. Under the current zoning designation, the project would not be feasible without modifications to some of the development standards. The purpose of the Planned Development District is to encourage development through efficient and attractive space utilization that might not otherwise be achieved through strict application of the development standards.

The development proposes smaller lots than the minimum size of 2,500 square feet required under the Medium Density Residential zoning district. Proposed lot sizes range from 1,792 square feet to 3,490 square feet with an average lot size of 2,300 square feet. The overall proposed density is, however, consistent with the existing Medium Density Residential General Plan designation.

The project proposes a front-yard setback that varies in a few instances from the setback established in the SD-4 overlay zone. The SD-4 overlay zone allows for a ten-foot front-yard setback for new homes. This required setback is met on all but four units. Three of these four units maintain a nine-foot setback to the property line while the fourth unit has a five-foot setback to the property line, but is the side elevation rather than the front elevation of that particular unit.

Developments within the Medium Density Residential District are also required to provide a combination of private and group open space. Developments shall provide a minimum of 350 square feet of useable open space for each dwelling unit with at least 100 square feet per unit being utilized for group open space. Private open space may not include required front or street side yards, exceed a 3% slope, be less than 100 square feet in area, or have a dimension less than 10 feet. Group open space must be centrally located to all residents, cannot have a greater than 5% slope and not be less than 400 square feet in area. A development of fifty-seven dwelling units would be required to provide 19,950 square feet of open space, of which 5,700 square feet would be required to be designated for group open space.

The project site is located within the Cannery Area Design Plan, which when adopted in March 2001, designated areas within the defined plan area for open space and parks. The park areas for this plan area include Centennial Park, Cannery Park and Burbank School, and Water Tower Square with park links. It was envisioned that these park areas would serve the future residents in this plan area. In addition to the site's proximity to these designated open space and park areas, the project includes a 720 square foot central gathering space and each unit includes some private side-yard areas that range in size from 264 to 400 sq. ft. Each unit also provides a useable front porch that ranges in size from 118 to 173 sq. ft. In addition, the project site is less than a half-mile from other open space amenities, including areas surrounding City Hall and the Main Public Library.

To offset the relaxation of applicable development standards, the project applicant is proposing some significant green elements that are not required by the City's Green Building Ordinance. The City's Green Building Ordinance requires new homes to meet a minimum of 50 points on the GreenPoint Rated checklist. Condition of Approval 106 requires each unit in this proposal to

achieve a minimum of 100 points on the GreenPoint Rated checklist or to seek LEED silver designation for each home. The following additional green elements are proposed for the development: (1) All homes would have a charging station within the garages for electric vehicles; (2) Each home will be offered a baseline solar energy package of 2.5Kw and the potential for upgrade to a 4.0Kw system depending on the floor plan and orientation (Attachment VI); (3) Solar water heater technology will also be made available as an optional feature for the homes; and (4) the applicant will be seeking environmental and resource conservation recognitions and designations, such as LEED Neighborhood Design, for the proposed development.

Findings for the Zone Change/Preliminary Development Plan - In order for a Planned Development District to be approved, the City Council must make the following findings, as recommended by the Planning Commission and staff:

(1) The development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies.

The project is consistent with the existing General Plan designation and policies related to providing a variety of housing types. The detached two-story single-family homes proposed on this site are more dense than the existing neighborhood to the east, but a much different housing type than is currently under construction at the Cannery just to the west which tend to be three story townhomes. The exteriors of the homes are consistent with the design of the surrounding homes along B Street and consistent with the design required under the Cannery Area Design Plan, especially the incorporation of Craftsman and Victorian styles. Front porches are incorporated in the home design and the homes are oriented toward the surrounding streets providing the desired interaction of residents with the existing neighborhood.

(2) Streets and utilities, existing or proposed, are adequate to serve the development.

The proposed project is and in-fill development site surrounded by existing streets and there are utilities available to the site with adequate capacity to serve the proposed development. In addition, the project is required to underground any overhead utilities in front of their project site.

(3) The development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development.

The project applicant has proposed a development achieving an integration of density, livability and renewable energy sources that establishes a high standard for future development in the City. The site design maintains the continuity of the existing street design by providing front porches and entry doors that are oriented toward the surrounding streets and neighborhood, which provide the eyes on the public areas and encourage community interaction. Some useable open space and pedestrian connectivity is provided

which allows for better circulation and access to surrounding amenities such as the school, public parks such as Cannery Park and Centennial Park, shopping and public transit. Lastly, the home designs offer a wide and flexible range of livability and lifestyles by integrating universal design features in many of the units.

(4) Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards.

The project is consistent with the Cannery Area Design Plan as well as the B Street Design guidelines. The applicant is seeking a Planned Development designation to provide flexibility in the site layout of the units. To off-set the flexibility the applicant desires, the project proposes to exceed the standards required under the Green Building Ordinance. The proposal is a green development which has been conditioned to achieve a minimum 100 point GreenPoint rating where the minimum required by the ordinance is 50 points or to alternatively seek LEED silver designation for each of the homes. In addition, the applicant will be seeking environmental and resource conservation recognitions and designations, such as LEED Neighborhood Design, for the proposed development. This project will serve as an example project for the City and hopefully will encourage more development like this in the future.

Vesting Tentative Tract Map 7991-

A vesting tentative tract map is being processed with this proposal to create individual parcels of land that would encompass each residential unit. If the vesting tentative map is approved, a final map will be processed and recorded, allowing each unit to be sold separately. The developer is proposing a vesting tentative map so that the developer gains, for a period of three years after the date of approval or conditional approval of the vesting tentative map, the right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect on the date on which the developer's application for a vesting tentative is deemed complete. The date that the vesting tentative map application was deemed complete was March 17, 2011.

The proposed subdivision creates sixty-four parcels for fifty-seven detached single-family lots and seven common lots for two private streets and common landscaping areas including cleanwater treatment facilities on approximate 3.84 acres of land. The Homeowners' Association will own and maintain these seven common parcels. The two private streets have a twenty-two-foot right-of-way with a travel lane width of twenty-one-feet as measured from the face of curb to face of curb and are constructed to the same standards as a public street. The proposed twenty-two-foot private street right-of-way is adequate for circulation and meets the Fire Department accessibility requirements. These private streets shall be designated as fire lanes and no parking will be allowed except in the designated parking areas. Fire lane signage shall be installed to the satisfaction of the Fire Chief and City Engineer.

Full frontage improvements such as Portland Cement Concrete curb, gutter and sidewalk had been installed with recent street improvements along Filbert Street. Any frontage improvements in Filbert Street damaged during construction will be repaired. Existing Portland Cement Concrete

curb, gutter and sidewalk along B, C and Myrtle Streets will be removed and replaced with new alignments to facilitate the project development.

The existing utilities in the project vicinity, including sanitary sewer, water and storm drain systems, have sufficient capacity to adequately serve the proposed development. On-site sewer and water utilities will be installed within the public utility easement and connected to existing utilities in Myrtle and C Streets. On-site storm drainage will be connected to an existing system in B Street. Sanitary sewer and water mains will be publicly owned and maintained by the City. However, the proposed on-site storm drain system and cleanwater treatment facilities will be privately owned and maintained by the Homeowners' Association. Any overhead utility lines as well as any new utility lines will be required to be placed underground as part of the site improvements.

The formation of a Homeowners' Association (HOA) and the creation of Conditions, Covenants, and Restrictions (CC&R's) will be required so that the HOA will be responsible for maintaining all private streets, private street lights, private utilities, and other privately owned common areas and facilities on the site, including, but not limited to, cleanwater treatment facilities, landscaping, preservation and replacement of trees, as well as decorative paving. For any necessary repairs performed by the City in locations under the on-site decorative paved areas, the City shall not be responsible for the replacement cost of the decorative paving. The replacement cost shall be borne by the HOA established to maintain the common areas within the association boundary. The common area landscaping includes all areas except the private yards. The CC&R's will also contain a standard condition that if the homeowners' association fails to maintain the common areas, private streets, lights and utilities, the City of Hayward will have the right to enter the subdivision and perform the necessary work to maintain these areas and lien the properties for their proportionate share of the costs.

Findings for the Vesting Tentative Tract Map - In order for a Vesting Tentative Tract Map to be approved, the Planning Commission must make the following findings, as recommended by staff:

(1) The approval of Vesting Tentative Map Tract 7991, as conditioned, will have no significant impact on the environment, cumulative or otherwise. A Negative Declaration was prepared per the guidelines of the California Environmental Quality Act (CEQA) for the development of this site.

(2) The tentative tract map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Plan, and the City of Hayward Zoning Ordinance.

(3) Upon the completion of remediation recommended by the project Geotechnical Engineer the site is physically suitable for the proposed type of development.

(4) The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

(5) The design of the subdivision and the proposed improvements are not likely to cause serious health problems.

(6) Upon completion of the proposed improvements the streets and utilities would be adequate to serve the project.

(7) None of the findings set forth in Section 66474 of the Subdivision Map Act for denial of a tentative map have been made.

ENVIRONMENTAL REVIEW

This proposal is defined as a "project" under the parameters set forth in the California Environmental Quality Act (CEQA) Guidelines. Staff has prepared a Mitigated Negative Declaration and Initial Study (Attachment IV), which indicates there will be no significant environmental impacts resulting from the project provided the mitigation measures are incorporated into the project. Historical pesticide and herbicide use on the property has resulted in remnant arsenic, lead and chlordane on the project site and must be cleaned up prior to any grading or construction on the project site and the site clearance provided by either the State Department of Toxic Substances Control or the Regional Water Quality Control Board. The associated mitigation measures have been included as project conditions of approval. The environmental document was made available for public review from April 23 through May 13, 2011. No comments were received.

PUBLIC CONTACT

When the application was first received, notice was sent to all property owners within a 300-foot radius of the project site indicating we had received an application for development on this site and informing of a preliminary meeting that would be held to provide the public an opportunity to review and comment on the project. This meeting was held on November 18, 2010. Two neighborhood residents attended this meeting and expressed their support for the proposed project. They liked the design of the homes and were pleased that the proposal included two-story single-family detached homes.

The applicant also conducted some additional outreach with the community. The City has been conducting Neighborhood Partnership Meetings throughout neighborhood in the City. One such meeting was held in the Burbank neighborhood on January 24, 2011. Project representatives were in attendance at this meeting to share the plans for the proposed site. In addition, they were also in attendance at a subsequent Neighborhood Partnership meeting for this same neighborhood held on April 25, 2011. In both instances, the community seemed supportive of the proposed project. Suggestions were made to incorporate the use of alternative materials, such as stucco, on some of the homes for variety. Additionally, comments were made regarding the undergrounding of existing overhead utility lines.

Lastly, a notice of this public hearing was sent to all property owners within a 300-foot radius as well an expanded notification list that included all property owners along B Street.

NEXT STEPS

Following the Planning Commission hearing and assuming the Commission recommends approval of the project, the City Council will hear the item along with the Planning Commission's recommendation and render a decision on the proposed Mitigated Negative Declaration, Zone Change and Vesting Tentative Tract Map Applications. Should the Council approve the project, the applicant will work toward complying with the conditions of approval to allow approval of a precise development plan, approval of a final map and ultimately allow for construction of the project.

Prepared by:

Sara Buizer, AICP
Senior Planner

Recommended by:

Richard Patenaude, AICP
Planning Manager

Attachments:

Attachment I Area and Zoning Map
Attachment II Findings for Approval
Attachment III Conditions of Approval
Attachment IV Initial Study and Mitigated Negative Declaration
Attachment V Mitigation Monitoring and Reporting Program
Attachment VI Solar Site Plan
Plans

MINUTES OF THE REGULAR MEETING OF THE CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, May 26, 2011, 7:00 p.m.
777 B Street, Hayward, CA 94541

MEETING

A regular meeting of the Hayward Planning Commission was called to order at 7:00 p.m. by Chair Loché.

ROLL CALL

Present:	COMMISSIONERS:	Faria, Márquez, McDermott, Mendall, Lamnin
	CHAIRPERSON:	Loché
Absent:	COMMISSIONER:	Lavelle

Commissioner McDermott led in the Pledge of Allegiance.

Staff Members Present: Buizer, Conneely, Nguyen, Patenaude, Philis

General Public Present: 15

PUBLIC COMMENTS

None

ACTION ITEMS

PUBLIC HEARING

1. **Zone Change Application No. PL-2010-0403 and Vesting Tentative Tract Map Application No. PL-2010-0405 – Perry Hariri of Urban Dynamic (Applicant); City of Hayward (Owner)** – Request to Change the Zoning from Medium Density Residential/SD-4 to Planned Development and to Subdivide the Property to Construct Fifty-Seven Detached Single Family Homes - The Project is Located on a 3.84-Acre Parcel at the Southwest Corner of B Street and Myrtle Street east of Burbank Elementary School

Senior Planner Sara Buizer gave a brief synopsis of the report indicating that she received one phone call protesting the development of residential units at this site, and one e-mail from resident Sherry Blair outlining her concerns with the application.

Regarding the e-mail received, Commissioner Márquez said initially a community center was proposed for this site and she asked how Burbank Elementary School was serving as a replacement community facility. Senior Planner Buizer said she would have to confirm, but generally if someone wanted to use the facility for community space they would contact the school district and pay a rental fee. Commissioner Márquez asked staff to explain the relationship Hayward Area Parks and Recreation Department (HARD) plays in the area and Ms. Buizer said she believed there was Joint Use Agreement in place between the school district and HARD.

Commissioner Márquez asked what the developer plans to do to bring LEED (Leadership in Energy and Environmental Design) scores to 100 points rather than the standard 50. Senior Planner Buizer said since the score of 100 points on the GreenPoint rating system was a condition of approval she couldn't say exactly what will bring the score to 100, but indicated that most projects, as long as they are being built "green" from the beginning (for example, using green materials, low VOC paint, installing solar panels and/or an electrical charging station, etc.), would earn points for each item under different categories to reach a certain point range. Ms. Buizer said if green materials were used from the beginning, it was relatively easy to reach the 100 point mark.

Commissioner Faria asked if the options available to future homeowners were counted as part of the score and Senior Planner Buizer said yes, clarifying that all homes would score 100 points and those homeowners taking advantage of available options would bring the unit above and beyond the 100 point score.

Chair Loché interjected saying that the applicant could also address questions regarding the point system and what items were optional versus baseline.

Commissioner Lamnin asked if the development would have any impact on community services including police and fire. Senior Planner Buizer said there were always impacts, but the development would be part of a community facilities district, which would require homeowners to pay a fee for services, and that would offset the impact. Commissioner Lamnin asked if the units would still be marketable with both the district fees and homeowner association (HOA) dues, and Ms. Buizer said she couldn't answer that. Commissioner Lamnin asked what repairs would be the responsibility of the HOA, and Ms. Buizer confirmed that the cost of replacing or repairing the decorative pavement would be the responsibility of the HOA.

Commission Lamnin asked if any discussion had been held regarding grey water usage for landscaping and Senior Planner Buizer said no. Commissioner Lamnin asked if it was possible to score 100 points without installing solar panels and Senior Planner Buizer deferred the question to the applicant.

Commissioner Mendall reviewed the history of the site noting that the original plan called for a community center, some commercial and a little bit of housing. He asked for confirmation from staff that 17 units of housing were originally planned. Senior Planning Buizer confirmed 12 dwelling units per acre were planned for the two acre site, or 24 dwelling units total for the property. Commissioner Mendall asked for confirmation that in 2008, the number of units allowed on the site was increased to 33. Ms. Buizer said in 2008 there was a change to the General Plan, the Zoning Designation, and the Cannery Plan, to increase the density to medium density, which would allow for 14.8 dwellings units per acre or more than 33 dwelling units on the site.

Commissioner Mendall asked about parking, noting the report stated there were 57 units with a two-car garage each, but 176 parking spots were available overall. He asked where the other 62 parking spaces were located. Senior Planning Buizer said the garages hold two cars, six units have driveways that can accommodate two additional cars, and the remaining parking spots would be on the surrounding public streets.

Commissioner Mendall said he was pleased to see that under the Conditions, Covenants, and Restrictions (CC&Rs) residents were required to park in their garages, but he said in his neighborhood, for example, the HOA does a poor job of enforcing the rule. Noting that parking in the Burbank area was already impacted, he asked how the City could make sure the condition was enforced. Assistant City Attorney Conneely said if there was evidence that the garage was not being used to accommodate vehicles, that would be an ordinance violation and a Code Enforcement Officer could take appropriate action. Commissioner Mendall pointed out that if neighbors felt the HOA wasn't enforcing that condition, they could file a complaint.

Commissioner Mendall noted that staff had responded well to comments made at a community meeting held April 25 and that he had questions for the applicant.

Chair Loché said he was glad to see that there were a number of Neighborhood Partnership Community meetings held regarding this project and that he was always excited to see the opinion of residents being sought out by staff. He asked staff what comments were made at the April 25th meeting regarding the undergrounding of utilities and Senior Planner Buizer said the community wanted to make sure the undergrounding happened.

Commissioner Mendall asked staff what Conditions of Approval specifically listed the green requirements and Senior Planner Buizer directed his attention to Condition of Approval number 106 indicating that the Conditions were organized by the timing of the different stages of development.

Commissioner Márquez disclosed that she met with the consultant for an overview of the project.

Commissioner Mendall said he also met with the applicant and attended the April 25th community meeting where he spoke to a number of residents.

Commissioner McDermott said she also met with the consultant.

Commissioner Lamnin asked staff to explain what the clean water treatment facility was and why it was included in the report. Senior Planner Buizer explained that post development run-off levels cannot exceed pre-development run-off levels so the developer had included vegetative swales in the common areas to gather and treat the run-off and proposed a bio-retention facility at the corner that would also gather, treat and disperse run-off so levels didn't exceed pre-development levels.

Chair Loché disclosed that he also met with the applicant.

Chair Loché opened the Public Hearing at 7:34 p.m.

Jesús Armas, with business address on Main Street and representing the applicant, introduced applicant Perry Hariri and architect Jill Williams requesting that Ms. Williams be given an

opportunity to address questions regarding the 100 GreenPoint rating, followed by a discussion regarding the undergrounding of utilities along B Street.

Perry Hariri of Urban Dynamic LLC, applicant with business address on Bridge Parkway in Redwood City, said he was proud to present the project for Planning Commission consideration indicating he had spent over a year working with staff, the community and consultants, to develop a project the City, community, and Urban Dynamic could be proud of. At the behest of the City and community, he said they had taken great measures to go above and beyond a typical production development and said he thought this was going to be one of the nicer developments in the community. He spoke about the architecture, hardscape and landscape, and noted the cost of the solar panels was substantial at approximately $6,000 per unit. He said the design of the homes accommodated universal design with many units with ground floor bedrooms, and all with three bedrooms and a two-car garage contained in two-stories.

Jill Williams, principle architect with KTGY Group, with business address on Second Street in Oakland, said the City challenged them to find a balance between density, variety, style, and keeping the housing detached, only two levels, with individual outdoor areas while remaining green and sustainable. Noting nearby transit options, Ms. Williams said to them, "sustainability" also meant creating a "livable environment," where people would stay, age in place, raise families, and really make this their home and community.

Regarding the architecture, Ms. Williams said using staff feedback, they selected the highest quality siding, and plan to "wrap" the house so details can be seen from all sides. She acknowledged the enhanced conditions due to side elevations that face streets saying they would pick up special elements to create a complete picture both from in and outside of the unit. She noted the variety in roof pitches, window types, the character of porches, and the potential interaction with public streets. Ms. Williams explained that "sustainability" means a lot of things besides the electric bill, including livability, universal design, variety of housing, roof sizes that can accommodate solar panels, and including electric car charging stations in the plans.

Regarding the 100 point GreenPoint rating, Ms. Williams said the standard rating is 50 points, which is fairly easy to reach, and now they were going to look for 50 more points. She said besides the solar panels, they will be looking at the mechanical system, but she said she hated to commit to something today because they will really have to sit down with construction, mechanical, Title 24, and structural engineers to find the best way to reach the 100 points. Ms. Williams said the features would be standard and if homeowner chose any of the options, their house would exceed the 100 points. She concluded by saying that they can only count what was absolutely being built and offered as a standard to hit the 100 points.

Commissioner Mendall asked if solar panels were going to be installed for sure or not. Mr. Hariri said they will offer the standard 2.5Kw solar panel package. Commissioner Mendall asked him if there was any chance they might change their minds and Mr. Hariri said it was part of the conditions of approval and they had made a commitment to the City. Mr. Hariri said homeowners could supplement that system and also add a solar water heater option, but the proposed standard solar package should accommodate half the power usage of the home and, if supplemented, substantially more. Commissioner Mendall acknowledged the $6,000 cost per unit to the developer for installing the solar panels saying he installed a smaller array of solar panels than was being

proposed on his house after it was built and without the economy of scale they cost him $13,000. Commissioner Mendall said there is value in timing and said he hoped Mr. Hariri would be able to recoup his investment and asked him to comment. Mr. Hariri said he had looked for studies that could quantify the investment and hadn't found any because offering solar as part of a standard package was new. He said the proposal certainly appealed to the neighborhood and the City's efforts to be sustainable. Commissioner Mendall said the 2.5Kw system would save the homeowner about $1,000 a year so even if the person wasn't interested in being green, everyone cared about saving money, and he pointed out to Mr. Hariri that could add value if marketed as such. Mr. Hariri said he should hire Mendall for the sales marketing.

Addressing his comment to Ms. Williams, Commissioner Mendall said the front porches were a great idea in concept, but nobody in his neighborhood used theirs. He asked Ms. Williams if a balcony on the second level would be more appealing because people wouldn't have to be concerned about having items stolen. Ms. Williams said balconies tend to be off of bedrooms and structurally, to build one big enough for a small table and chair, can be a challenge. She said she shared his concern, and not every house has a porch, but they do like to include porches for the treatment, the shadow line, the columns and railings, and because it was part of the package, she said she hoped residents would take advantage of them.

Commissioner McDermott asked if a tankless water heater would be one of the standard options offered to homeowners. Ms. Williams said right now a tank water heater was not showing in the plans, but as they moved forward with the plans, they would consider going tankless. Ms. Williams pointed out that tankless water heaters don't receive a lot of credit under the LEED point system and people have mixed feelings about them. She said they are looking to option solar hot water which would mount on the roof above the other solar panels. Commissioner McDermott said she hoped they did because it would save space in the garage and wouldn't have to be secured like a traditional hot water heater. Commissioner McDermott commented that she liked the porches because it reminded her of her childhood and concluded by asking how many points were gained by the standard option solar panels and Ms. Williams said she didn't know, but would look it up and report back.

Commissioner Márquez asked if every house would come with a garage and a ground floor bedroom. Ms. Williams said all houses will have a garage but only two of the three plans offer a bedroom (and bathroom) on the ground floor and in one plan it could be an office. Commissioner Márquez asked if a charging station in the garage would be a standard feature and Ms. Williams said yes.

Commissioner Lamnin asked if any consideration was given to including one-story units with more than one bedroom downstairs for residents with mobility issues. She also expressed concern about the small size of the lots and asked if people would want to spend the money to live so close to their neighbor. Ms. Williams said her company has built quite a few medium density developments in the Bay Area and have learned a lot over time by possibly pushing the envelope too far. Taking that in consideration, she said she felt comfortable with the proposed setbacks which she said were eight

feet, versus the traditional 10, and pointed out that nobody was more concerned about creating an attractive home people would want to buy than her team. She said the homes were designed to provide the privacy people wanted so, for example, one house would have the majority of windows on one side, while the house next door would not. Regarding single story housing, she said buyers weren't interested in a 1,200 square foot home that took up twice the land. Ms. Williams said there was an inequity between how much land a single story home used versus how marketable it was.

Commissioner Faria asked Ms. Williams if the proposed yards would be big enough for a swing set and for small children to play safely in a confined area. Ms. Williams said for very small children size of the yard area was sufficient with room for a patio and some grass. She said bigger kids would want to play at the park or on the street and that was why this location was so great.

Regarding the environmental review and the associated mitigation, Commissioner Faria asked if those mitigating conditions had all been accepted by the project developer. Mr. Hariri said Urban Dynamic had complied with consultants that have conducted the Phase I and II soil analysis, and was working with the City to receive a clearance letter for the site before any development occurs.

Regarding the tankless water heaters, Commissioner Mendall commented that they are expensive, but the cost was in the piping, not in the unit itself. He said he hoped that the developer could find a balance and build the house tankless hot water heater-ready. He also pointed out that installation of the piping might earn the developer green points.

Regarding any remaining toxins at the site, Chair Loché asked if there were any stipulations regarding construction due to the location being so close to the school. Senior Planner Buizer pointed out this site was the location of the original school and that all development in the Cannery Area has had to go through clearances and continue to be monitored. She said City staff was very familiar with evaluating assessments for this area and getting clearances before beginning any development.

Mr. Armas asked staff to bring up the PowerPoint slide with the overview of the school and surrounding area to discuss the remaining arsenic residue. Mr. Armas said in the past other uses had been proposed for the site and those uses each had their own set of conditions. The City worked under its own auspices but also with the Department of Toxic Substances Control to receive a clearance letter from the State for the entire site of the new school, he said, and the conditions were the same at this site. He said staff had received preliminary information from the current consultant and Urban Dynamic was already on track to clean up the site.

Chair Loché commented that the proposed group open space was drastically smaller than the required amount and he asked to see the overview slide to see where it was situated and how far away it was from some of the units. Ms. Williams said the open space was centrally located and could be accessed by exiting through backyards and following a path.

Chair Loché invited Mr. Armas to the podium to address Commissioner's questions regarding the undergrounding of the utilities. Mr. Armas said the team was generally in support of, and could live with, the conditions of approval, but were requesting discussion and a different conclusion regarding condition 70, sub items A and F. Regarding item A (undergrounding of the overhead wires), Urban Dynamic was asking for reconsideration because in 2007, when Burbank Elementary

School was completed and the park area improved, the City didn't require undergrounding of the utilities at that time. Secondly, he pointed out that if the utilities were placed underground, to avoid creating an expense to the existing homes on the north side of the street, new poles would have to be installed on the south side for connecting service lines, which didn't make sense. He pointed out that poles were just being moved from one side of the street to the other. Finally, he asked the commission to take into account that the HOA and CFD dues would add to the cost, and therefore the price, and the requirement of undergrounding continued that pattern and didn't take in account the developer's added enhancements such as the solar panels. He requested that the commission not approve Condition 70a.

Regarding Condition 70f (the resurfacing of a half-width of B Street), Mr. Armas said it wasn't clear if this was a stand-alone request or tied to the undergrounding of the utilities. He pointed out that normally when utilities are moved underground they run under the sidewalk but that was not the case on B Street because of the potential harm to existing sycamore trees. In this instance, he said they believed it would be appropriate to not require the undergrounding of the utilities. He concluded by saying they were otherwise in agreement with the other conditions of approval and thanked staff for their hard work.

Donald Yee, 333 C Street, said 2008 was the last time he heard they were going to have a community center at that location and he just found out that day that they have a community center in the school. He said he drove around the school and didn't see it so he went into the school and was told it was the cafeteria. He asked if HARD used the cafeteria and the school administrator helping him said she wasn't sure. Basically, he said, it was a gym for rent and not a community center. Mr. Yee said he didn't like the rezoning to medium density and was concerned that after a few years, rather than parking in their garages, residents would use it for storage and park on the street. He also expressed concern about safety saying the site location was only two blocks from A Street and the back entrance to the garages left residents vulnerable to home invasion robberies which would eventually cause them to park on the street and go through their front door because it was safer. Regarding the main driveway off C Street, he said his house was across the street and potentially 58 cars were going use the driveway in the morning with their headlights shining right at his house and also create too much traffic past the school. He concluded by saying there was no community center, parking would be a problem, and the design was dangerous.

Commissioner Mendall asked Mr. Yee if the site wasn't used for a community center what would he want and Mr. Yee said a sports fitness center like the one in Union City or a water facility like Newark's.

John Super, 22884 Myrtle, said he had lived at this address for 36 years, was part of the original Burbank Neighborhood Task Force and said he was there to speak against the project. He said years ago the City took the Matt Jimenez Boys & Girls Club on Soto Road and turned it into the City's corp yard. He said he missed the Club and wanted it back and in the neighborhood. He asked if Burbank Elementary had a large enough capacity to meet future needs and if more kids moved in, would they put portables on the school grounds. Mr. Super said the houses being built in the area

were so dense they had to have kids in them because 66 year-old men couldn't climb the stairs to the third floor bedrooms. He said he liked the proposed covered porches, and if they are going to offer solar water heaters then plumb the house for it, and include the necessary roof supports so people can upgrade. Mr. Super said he liked the design of the houses, but would prefer a lower density so kids can play in the yard. He said there was no place to play at the houses being built and the nearby park was already completely utilized. He asked where families would put their barbeques and entertain their friends without disturbing their neighbors or how 57 families would compete for the community open space. Mr. Super concluded his statement by pointing out that C Street was wide, noisy and cars love to spin their tires there.

Mark Wagter, 628 B Street, said the architectural design of the project was Craftsman-like which was similar to houses in the area, but if you walk around there were also a lot of stucco houses so he suggested they include some in the project to better tie the development in with the neighborhood. Regarding parking, he said he thought three parking spaces were required per house so he said 51 parking spaces are missing, which equals 1250 linear feet and that's not available around those four streets. Chair Loché said parking was covered but they will double check the numbers. Mr. Wagter said it looked like a great project, with very little open space, but located near parks, and there was the potential problem of too many children going to the one school. Mr. Wagter asked if there was any way the project could proceed with less density.

Chair Loché stated for the record that the development was required to provide 171 parking spaces and actually provided 176.

Chair Loché closed the Public Hearing at 8:22 p.m.

Commissioner Mendall asked staff to address some of the questions raised, namely, the undergrounding of utilities.

Planning Manager Richard Patenaude said Mr. Armas was correct that during the construction of the school and park it was a great opportunity to underground the utilities, but because of the joint agencies involved previous City administrations opted not to require the undergrounding. Mr. Patenaude also concurred that undergrounding was generally done under sidewalks, but, as was recently determined with a nearby Eden Housing project, to avoid the tree roots undergrounding would happen in the street. He also acknowledged that utility poles of a smaller stature would have to be installed on the north side of B Street, but noted that power lines wouldn't have to cross or run along B Street.

Chair Loché asked if the City had any plans to underground the utilities in the neighboring blocks and Mr. Patenaude said that was the City's vision, but would depend on the availability of funding. He noted that typically with a subdivision the City required the undergrounding of utilities and it would be a precedent-setting event to not require undergrounding at this point.

Commissioner Mendall asked staff to review how the Eden Housing project undergrounding issue was resolved. Planning Manager Patenaude said due to a budgeting issue for Eden Housing they had to know the cost of undergrounding upfront and include that cost in the development total. Commissioner Mendall confirmed that Eden Housing will have to underground the utilities and staff said yes. Commissioner Mendall asked staff what the difference in cost was for

undergrounding all at once versus section by section. Planning Manager Patenaude said the cost Public Works had determined for the Eden Housing project was slightly more than half of what the developer had estimated. Commissioner Mendall asked why there was such a large discrepancy and staff didn't know.

Commissioner Lamnin said she was still not clear why the riser poles would be necessary if the utilities are undergrounded. Planning Manager Patenaude said the houses on the north side would still receive their utilities via overhead lines connected by the riser poles to the underground.

Commissioner Márquez asked staff if there would be any cost to existing homeowners for the undergrounding of utilities if the development goes through as proposed and staff said no.

Commissioner Lamnin asked staff to comment on questions regarding traffic and the impact of additional students on the school. Mr. Armas pointed out that the school parking lot was available to residents when school was not in session. Regarding the impact to Burbank Elementary, Mr. Armas said no one would support adding portables and school boundaries could be manipulated to control school population. He noted that this school was designed to accommodate 850 students and that capacity took into account future residential development.

Commissioner Faria asked how many students attend Burbank Elementary now and Mr. Armas said he thought school population was in the 700 range.

Commissioner Lamnin asked staff to comment on Mr. Yee's complaint regarding traffic in and out of the development. Senior Planner Buizer explained that driveways were placed on Myrtle and C Streets because staff did not want an entrance on Filbert Street due to of the impact to school traffic circulation, and B Street was avoided because of the traffic circulation patterns, the sycamore trees, and the traditional look of B Street. Ms. Buizer said Public Works reviewed the development and determined that a traffic study wasn't necessary because the impacts would be minimal.

Commissioner Mendall asked Mr. Armas if Urban Dynamic was opposed to condition 70n that required undergrounding of utilities on Myrtle Street. Mr. Armas pointed out the condition wasn't really applicable because there weren't any utilities on Myrtle Street that need to be placed underground. Mr. Armas said in preparation for this meeting he spoke with the Eden Housing project planner and learned that only the utility pole at B and Grand needed to be removed.

Commissioner McDermott said she shared Commissioners' concern regarding the capacity of the school. She said the latest demographics indicate the average age for the area is 33 years old and therefore made it safe to assume that the majority of residents in the development would have school age children. She said in 2010 the total number of students at Burbank Elementary was 797 students. She pointed out that if 850 was the limit it wouldn't be too long before capacity was reached.

Assistant City Attorney Conneely said state law prohibits the Commission from denying a subdivision project based on impacts to local schools. She pointed out that school impact fees were supposed to offset any potential impacts to the school district.

Chair Loché said he thought this development was a very attractive project, but admitted he was dismayed when it came to them in 2008 instead of a community center. He said he would be pushing for a community center if he thought there was any chance of bringing it back to the table.

Commissioner Mendall said this was an interesting project and wanted to explain the thinking behind his vote. He said this was the densest single family home project he could recall, but it was located a quarter mile from BART and creating density near public transit had been a stated goal of the Commission. The density fits with other developments in the area and he said he liked that the homes were detached. Regarding open space, Commissioner Mendall acknowledged there was very little and for a development of this size, said there should be more; however, the fact that it was located across the street from a park was a mitigating factor. If the park was not there he said he would vote against the project. Due to the development being "exceedingly green," he agreed with Mr. Armas that it would be a showcase project that would add value not only to homeowners but to the City as a whole. He pointed out that 20 years from now homes that were not energy efficient would be old-fashioned and the fact that they are so green moved his vote and made it easier for him to accept some of the other things that were "less than perfect." He said three years ago he was part of the majority that voted against residential, but they were overruled by the City Council and now, even though he would prefer a mixed use for this site, he was ready to move on and focus on the current application and the current zoning. He said he was going to support the project and he really was excited about the "green showcase" and he thanked staff for pushing sustainability and the developer for embracing it.

Commissioner McDermott said she wanted to acknowledge the communication from Sherry Blair saying it was passionate and conveyed a strong sense of wanting a community center. Commissioner McDermott said she would like to see an exploration for residents to determine a location where they could hold community meetings without paying a fee. Also, while she understood why the applicant was resentful that undergrounding wasn't done before, she said the Commission shouldn't make the same mistake a second time. If the Commissioner has an opportunity to improve a situation, she said they should take it. She concluded by saying that she agreed with Commissioner Mendall's comments that the developer should prepare the house for additional amenities such as a tankless water heater.

Commissioner Lamnin said this wasn't an ideal project in some ways and had several concerns for the community. She said having a place for residents to gather was important, as was open space, and after driving by the site, she wasn't convinced of what the best use of the space was. She said she wanted to hear the community's concerns. She said the community needed jobs and a healthy place to live and she asked if the trade-off was worth it.

Commissioner Lamnin made a motion to move the staff recommendation but said she wanted to include "strong recommendations" that the City, HARD and Hayward Unified School District (HUSD) work together to create community places and communicate those locations to the community. She also asked that the applicant and City try to make the project more viable by working with PG&E to find incentives to underground utilities and improve the community while

building. She said she wanted the applicant to not just "nod" at green standards but really embrace the green elements the City desired. Rather than building homes to accommodate air conditioning, she asked the applicant to build the homes so they would not need air conditioning; to make sure homes are prepared for amenities like tankless water heaters; to use recycled building materials, etc. She expressed concern about the density of the project and said if the project wasn't creating jobs and other things the community needs, she would vote against it. She also asked that a condition be added that would phase construction to lessen the impact on the students.

Commissioner Mendall asked if those recommendations were included in the motion and Commissioner Lamnin asked for guidance from counsel. Planning Manager Patenaude pointed out that the project was a planned development so a precise plan would have to come back to staff to review for compliance and all comments from the Commission and City Council would be taken into consideration at that time.

Chair Loché asked if Commissioner Lamnin was satisfied with that response and she said she was.

Commissioner Márquez seconded the motion and agreed that more collaboration was needed with the community. For future reference, she said representatives from HARD and HUSD should be present during discussions for projects like this. Commissioner Márquez said she understood the community was concerned about the density of the project, but preferred development over dilapidated land and the project did build a walkable community close to BART and the park. She said she liked that there was an option for a bedroom on the ground level and that was an option definitely needed by families. She said the project was put together well, that she appreciated everybody's input, and would be supporting the motion especially the collaboration between HARD, HUSD and the neighborhood about community spaces.

Regarding the density of the project, Commissioner Mendall pointed out that lowering the density might impact the project in other ways, by, for example, eliminating the requirement for undergrounding of the utilities, or including fewer green features, or less variation of building design and elevations. Because of the potential tradeoffs, he said the Commission was forced to make a difficult decision and he was supportive of the density in return for all the other things the City was getting. He said he was supportive of Commissioner Lamnin's motion, but only if her recommendations were included as comments rather than conditions. He pointed out that Condition 106 didn't actually include language that required solar and because the applicant was indicating they would install solar, Commission Mendall asked that 2.5Kw solar installation was made a condition of approval and included in the motion.

Commissioner Lamnin agreed with the friendly amendment to require solar.

Commissioner Mendall confirmed that the applicant was accepting of the amendment and Mr. Hariri said it was a balancing act and the requirement to underground utilities was going to cost as much as installation of the solar.

Chair Loché reiterated that the friendly amendment had been accepted as part of the motion.

Commissioner Mendall said he was flexible regarding the power lines but it didn't sound like the other Commissioners were.

Regarding the undergrounding of utilities, Chair Loché said he was in agreement that the Commission should not make the same mistake twice. Regarding this proposal being a balancing act, he agreed, saying residential was not his first choice, but if it had to be residential then this was a good project that was attractive, green, and he believed, a model project for the City. He said he strongly believed in higher densities near public transit so he had no problem with the density of the project. He said he liked porches, thought the project was well put together, and said he would be supporting the motion.

Chair Loché called for a vote on the motion.

The motion to approve staff recommendation with an amendment to the conditions of approval to require developer to install a 2.5Kw solar energy package in every home, and with recommendations to have staff pursue the following: create community places, work with PG&E to find incentives to underground utilities, and phase construction so as not to disturb students at Burbank Elementary School passed with the following vote (6:0:1).

AYES:	Commissioners Faria, Lamnin, Márquez, Mendall, McDermott Chair Loché
NOES:	
ABSENT:	Commissioner Lavelle
ABSTAINED:	

COMMISSION REPORTS:

2. Oral Report on Planning and Zoning Matters

Planning Manager Patenaude noted that both regular meetings would be held in June and he discussed scheduled topics. He also reported back that comments made at an earlier Work Session regarding telecommunication poles had been relayed to staff and implemented.

3. Commissioners' Announcements, Referrals

Commissioner Mendall suggested to staff that more work sessions be scheduled on topics like the telecommunication poles to give Commissioners an opportunity to discuss before an actual application was in front of them. Planning Manager Patenaude said he welcomed suggestions from the Commission and mentioned he was working with the police department on some particular uses that impacted the community and would be bringing the discussion to the Commission. Commissioner Mendall pointed out that the more familiar the Planning Department was with Commission opinions, they could push particular points with applicants, and the more likely the recommendation would be approved.

Commissioner Faria asked if the Planning Commission could be informed when approved past projects were completed. Planning Manager Patenaude pointed out that the City hadn't had a lot of projects lately, and Commissioner Faria said she would like to know if and when even small projects, like the telecommunication poles recently approved, were completed. Mr. Patenaude said the City wasn't always notified. Chair Loché reminded the Commission that at a previous meeting Commissioner Lavelle had raved about the cell phone service at Stonebrae. He suggested Commissioner Faria ask staff for the outcome or status of a particular project and Mr. Patenaude said was always available to provide updates, but that he would look into how he could report back to the Commission on the outcome of projects.

Commissioner Mendall said he supported Commissioner Faria's request.

Commissioner Lamnin asked if an e-mail could be sent when the final inspection takes place for these projects to create a feedback loop. She said she also supported Commissioner Mendall's comment about community input and being pro-active and said the project discussed that evening might have benefitted from a Public Hearing earlier on. She said she understood community meetings were held, but she couldn't attend every meeting and she didn't get to hear the public comments. For big projects that might have a big impact, she asked if staff could do that. Planning Manager Patenaude said staff could make sure the Planning Commissioners received notification of neighborhood meetings and Commissioner Lamnin said that would be fine.

Commissioner Lamnin asked staff if there was any response to her previous request regarding traffic on Walker Landing and North Lane and Planning Manager Patenaude said he expected some information soon and would forward it via e-mail.

APPROVAL OF MINUTES

4. Minutes from April 28, 2011, approved with Commissioners Marquez and McDermott abstaining.

ADJOURNMENT

Chair Loché adjourned the meeting at 9:10 p.m.

APPROVED:

Mariellen Faria, Secretary
Planning Commissioner

ATTEST:

Suzanne Philis, Senior Secretary
Office of the City Clerk

SHEET INDEX

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3	TM.2	VESTING TENTATIVE MAP - SITE & CIRCULATION PLAN
4	TM.3	VESTING TENTATIVE MAP - GRADING PLAN
5	TM.4	VESTING TENTATIVE MAP - UTILITY PLAN
6	C.1	PLANNED DEVELOPMENT SITE PLAN
	LANDSCAPE PLANS	
7	L.0	LANDSCAPE COVER SHEET
8	L.1	ILLUSTRATIVE SITE PLAN
9	L.2	FENCING PLAN
10	L.3	SITE LIGHTING PLAN
11	L.4	ILLUSTRATIVE PASEO PLAN
12	L.5	TYPICAL STREET FRONTING PLAN
13	L.6	ENTRY TRELLIS PLAN AND ELEVATION
14	L.7	IRRIGATION NOTES AND LEGENDS
15	L.8	IRRIGATION DETAILS
16	L.9	TYPICAL PASEO HYDROZONE PLAN
17	L.10	TYPICAL STREET FRONTING HYDROZONE PLAN
18	L.11	ILLUSTRATIVE DETAILS

NO.	ARCHITECTURE	
19	A0.0	STREETSCENE
20	A1.1	PLAN 1 FRONT ELEVATIONS
21	A1.2	PLAN 1 FLOOR PLAN
22	A1.3	PLAN 1A EXTERIOR ELEVATIONS
23	A1.4	PLAN 1B EXTERIOR ELEVATIONS
24	A1.5	PLAN 1 ALT/ ENHANCED ELEVATIONS
25	A2.1	PLAN 2 FRONT ELEVATIONS
26	A2.2	PLAN 2 FLOOR PLAN
27	A2.3	PLAN 2A EXTERIOR ELEVATIONS
28	A2.4	PLAN 2B EXTERIOR ELEVATIONS
29	A2.5	PLAN 2 ALT/ ENHANCED ELEVATIONS
30	A3.1	PLAN 3.1 FRONT ELEVATIONS
31	A3.2	PLAN 3.1 FLOOR PLAN
32	A3.3	PLAN 3.1A EXTERIOR ELEVATIONS
33	A3.4	PLAN 3.1B EXTERIOR ELEVATIONS
34	A3.5	PLAN 3.2 FRONT ELEVATIONS
35	A3.6	PLAN 3.2 FLOOR PLAN
36	A3.7	PLAN 3.2A EXTERIOR ELEVATIONS
37	A3.8	PLAN 3.2B EXTERIOR ELEVATIONS
38	A3.9	PLAN 3.2ALT FRONT ELEVATIONS

OWNER/DEVELOPER

URBAN DYNAMIC, LLC
390 BRIDGE PARKWAY, SUITE C
REDWOOD SHORES, CA 94065
(650) 551-0200
CONTACT: PERRY HARIRI

LANDSCAPE ARCHITECT

RANDALL PLANNING AND DESIGN, INC.
1475 N. BROADWAY, SUITE 290
WALNUT CREEK, CA 94596
(925) 934-8002
CONTACT: GREG RANDALL

CIVIL ENGINEER

CARLSON, BARBEE & GIBSON, INC.
6111 BOLLINGER CANYON ROAD, SUITE 150
SAN RAMON, CA 94583
(925) 866-0322
CONTACT: LEE ROSENBLATT

ARCHITECT

KTGY GROUP, INC.
283 4TH STREET, THIRD FLOOR
OAKLAND, CA 94607
(510) 272-2910
CONTACT: JILL WILLIAMS

FEBRUARY 25, 2011

RESIDUAL BURBANK SCHOOL SITE

PLANNED DEVELOPMENT

HAYWARD, CALIFORNIA

UrbanDynamic

Architecture+Planning
283 4th Street, Third Floor
Oakland, CA 94607
510.272.2910
ktgy.com

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS ■ SURVEYORS ■ PLANNERS
6111 BOLLINGER CANYON ROAD, SUITE 150
SAN RAMON, CALIFORNIA 94583
(925) 866-0322
FAX (925) 866-8575

RANDALL PLANNING & DESIGN INC.
Landscape Architecture * Golf Facilities
Site and Environmental Planning
1475 N. Broadway Suite 290
Walnut Creek, California 94596
Office: (925) 934-8002
Facsimile: (925) 934-8033

LEGEND

EXISTING	PROPOSED	DESCRIPTION
		SUBDIVISION BOUNDARY
		PROPERTY LINE
		CURB, GUTTER AND SIDEWALK
		CENTERLINE
x 100.0	x 100.0	SPOT ELEVATIONS
		EXISTING TREE TO REMAIN
		EXISTING TREE TO BE REMOVED

WE, URBAN DYNAMIC, LLC, AGREE TO THE FILING OF SAID MAP AND TO COMPLY WITH THE PROVISIONS OF THE CITY OF HAYWARD SUBDIVISION ORDINANCE AND THE STATE MAP ACT AS THEY APPLY TO THE PROCESSING AND APPROVAL OF SAID MAP.

BY: _____ DATE: _____

I, LEE ROSENBLATT, CERTIFY THAT THIS TENTATIVE MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT COMPLIES WITH THE CITY OF HAYWARD SUBDIVISION ORDINANCE AND THE STATE MAP ACT.

BY: _____ DATE: _____

LEE ROSENBLATT, RCE #65469

SHEET INDEX

TM.1 TITLE SHEET–EXISTING CONDITIONS
TM.2 SITE & CIRCULATION PLAN
TM.3 GRADING PLAN
TM.4 UTILITY PLAN

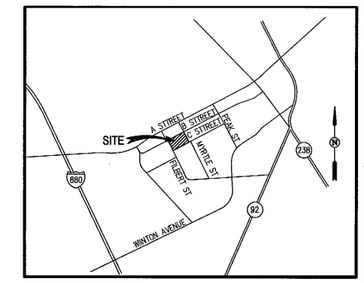
CONTACTS

1. OWNER/SUBDIVIDER: URBAN DYNAMIC, LLC
390 BRIDGE PARKWAY, SUITE C
REDWOOD SHORES, CA 94065
(650) 551–0200
PERRY HARIRI

2. ENGINEER: CARLSON, BARBEE & GIBSON, INC.
6111 BOLLINGER CANYON ROAD, SUITE 150
SAN RAMON, CA 94583
(925) 866–0322
LEE ROSENBLATT, RCE 65469

3. SOILS ENGINEER: TERRASEARCH INC.
257 WRIGHT BROTHERS AVE.
LIVERMORE, CA 94551
(925) 243–6662

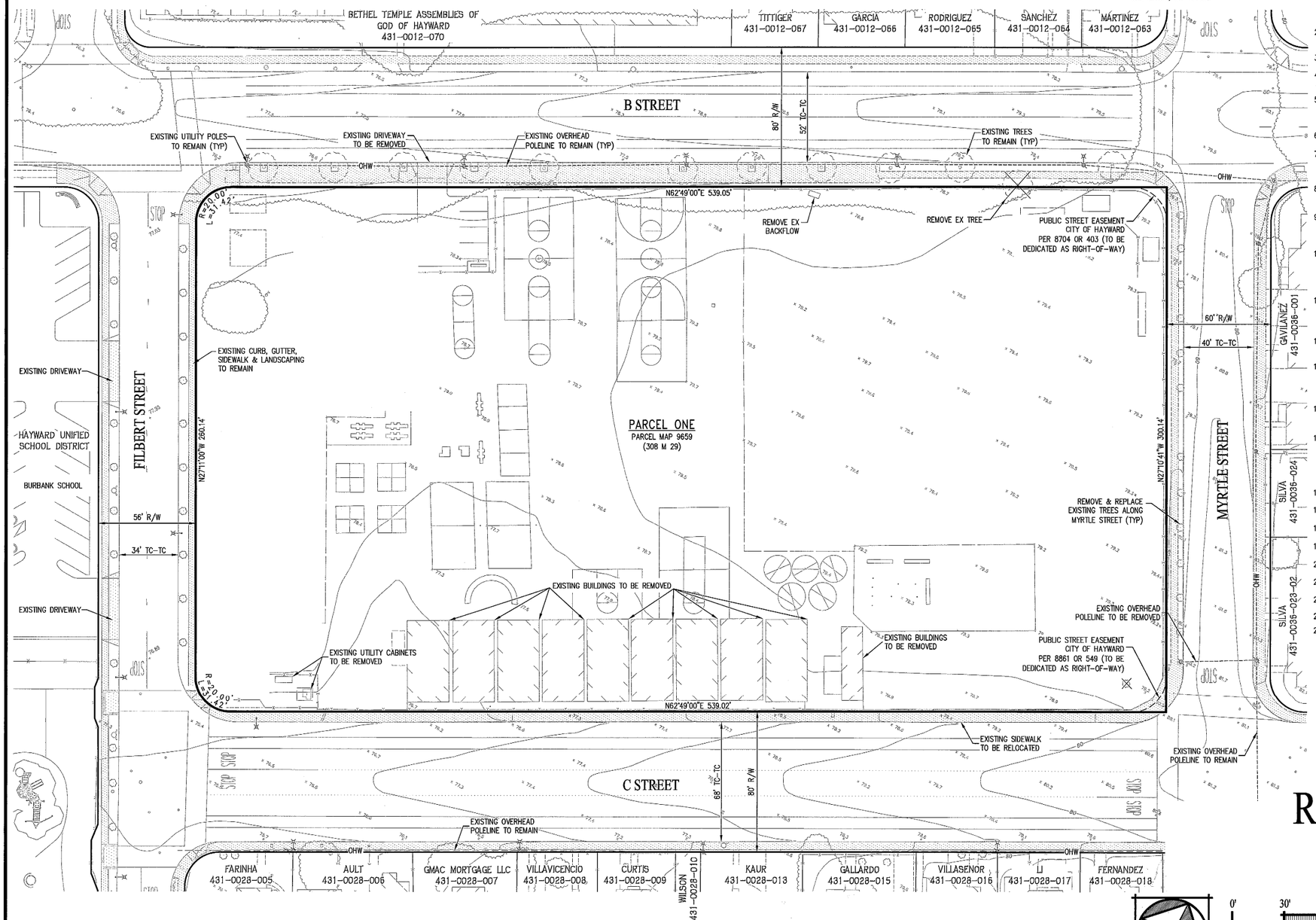
4. TOPOGRAPHIC SOURCE: AERIAL TOPOGRAPHY COMPILED BY:
AEROMETRIC SURVEYS
915 CLAREMONT STREET
SAN MATEO, CA 94402



VICINITY MAP
(NTS)

GENERAL NOTES

1. ASSESSORS PARCEL NO: 431–0110–007
PARCEL MAP 9659
RECORDED JULY 7, 2008
IN BOOK 308 OF MAPS, AT PAGES 29–34
2. SITE ADDRESS: 'B' STREET @ FILBERT STREET
HAYWARD, CA
3. SITE AREA: 3.84± ACRES
4. EXISTING ZONING: PUBLIC FACILITIES & MEDIUM DENSITY RESIDENTIAL
PROPOSED ZONING: PLANNED DEVELOPMENT
5. EXISTING USE: PUBLIC FACILITIES (ELEMENTARY SCHOOL)
PROPOSED USE: SINGLE–FAMILY RESIDENTIAL
57 SINGLE FAMILY LOTS, 7 PARCELS
6. MINIMUM LOT SIZE: 28' X 64' (1,792 SF)
7. BENCHMARK: TOP OF DISC, STANDARD STREET MONUMENT, CENTERLINE WINTON AVENUE, 41 FEET NORTHEAST OF UNION PACIFIC RAILROAD RIGHT–OF–WAY;
ELEVATION = 77.72 NGVD29, 1959 ADJUSTMENT.
8. EXISTING STRUCTURES: ALL EXISTING BUILDINGS, UNDER & ABOVE GROUND UTILITIES, FENCES, PAVEMENT, AND TREES WITHIN BOUNDARY TO BE REMOVED.
9. STREETS: ALL STREETS AND DRIVE AISLES WITHIN THE SUBDIVISION WILL BE PRIVATE AND WILL BE PRIVATELY MAINTAINED. ALL STREETS WILL BE WITHIN PUE'S (MINIMUM LONGITUDINAL SLOPE = 0.5%).
10. STREET TREES: STREET TREES (WITHIN SUB–DIVISION BOUNDARY) SHALL BE PROVIDED AS REQUIRED BY THE CITY, INSTALLED PER CITY STD SD–122 AND WILL BE PRIVATELY MAINTAINED BY THE HOMEOWNERS ASSOCIATION. TREES WITHIN PUBLIC RIGHT–OF–WAY AND EXISTING SYCAMORE TREES ON 'B' STREET TO REMAIN AND BE MAINTAINED BY THE CITY OF HAYWARD
11. STREET LIGHTS: STREET LIGHTS ON PRIVATE STREETS WILL BE PRIVATELY MAINTAINED.
STREET LIGHTS WITHIN PUBLIC RIGHT OF WAY TO BE PUBLICLY MAINTAINED.
STREET LIGHTS ON 'B', 'C', MYRTLE, & FILBERT STREETS WILL BE INSTALLED PER CITY STANDARDS.
12. WALLS: ALL WALLS WILL BE PRIVATE FACILITIES AND PRIVATELY MAINTAINED.
13. STORM DRAIN: PROPOSED ONSITE STORM DRAIN FACILITIES WILL BE PRIVATE FACILITIES WITHIN PRIVATE STORM DRAINAGE EASEMENTS AND WILL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
14. PUBLIC UTILITIES: PROPOSED WATER AND SANITARY SEWER FACILITIES WITHIN ROADWAYS WILL BE CONSTRUCTED PER CITY OF HAYWARD STANDARDS AND DEDICATED TO THE CITY.
15. FLOOD ZONE: ZONE X – BETWEEN LIMITS OF 100 YEAR AND 500 YEAR FLOOD
REFER TO:
FLOOD INSURANCE RATE MAP
PANEL 06001C0286G (AUGUST 3, 2009)
PANEL 06001C0287G (AUGUST 3, 2009)
16. PRIVATE UTILITIES: N/A
17. WELLS ONSITE: NONE
18. WATER: CITY OF HAYWARD
19. SEWER: CITY OF HAYWARD
20. GAS & ELECTRIC: PG&E
21. TELEPHONE: AT&T
22. CABLE TV: COMCAST CABLE
23. DIMENSIONS: ALL DIMENSIONS ARE PRELIMINARY AND SUBJECT TO FINAL MAP.
24. HOA A HOMEOWNER'S ASSOCIATION WILL BE FORMED TO OWN AND MAINTAIN PRIVATE STREETS, DRIVE AISLES, PRIVATE UTILITIES, STORM DRAINAGE FACILITIES AND LANDSCAPE WITHIN THE PROJECT AREA.



TRACT 7991
VESTING TENTATIVE MAP
EXISTING PROPERTY
RESIDUAL BURBANK SCHOOL SITE

CITY OF HAYWARD ALAMEDA COUNTY CALIFORNIA

0' 30' 90' 120'
SCALE: 1" = 30'
DATE: FEBRUARY 25, 2011

cbg Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
6111 BOLLINGER CANYON ROAD, SUITE 150
SAN RAMON, CALIFORNIA 94583
TEL (925) 866-0322
FAX (925) 866-8575

SHEET NUMBER
TM.1
2 OF 38

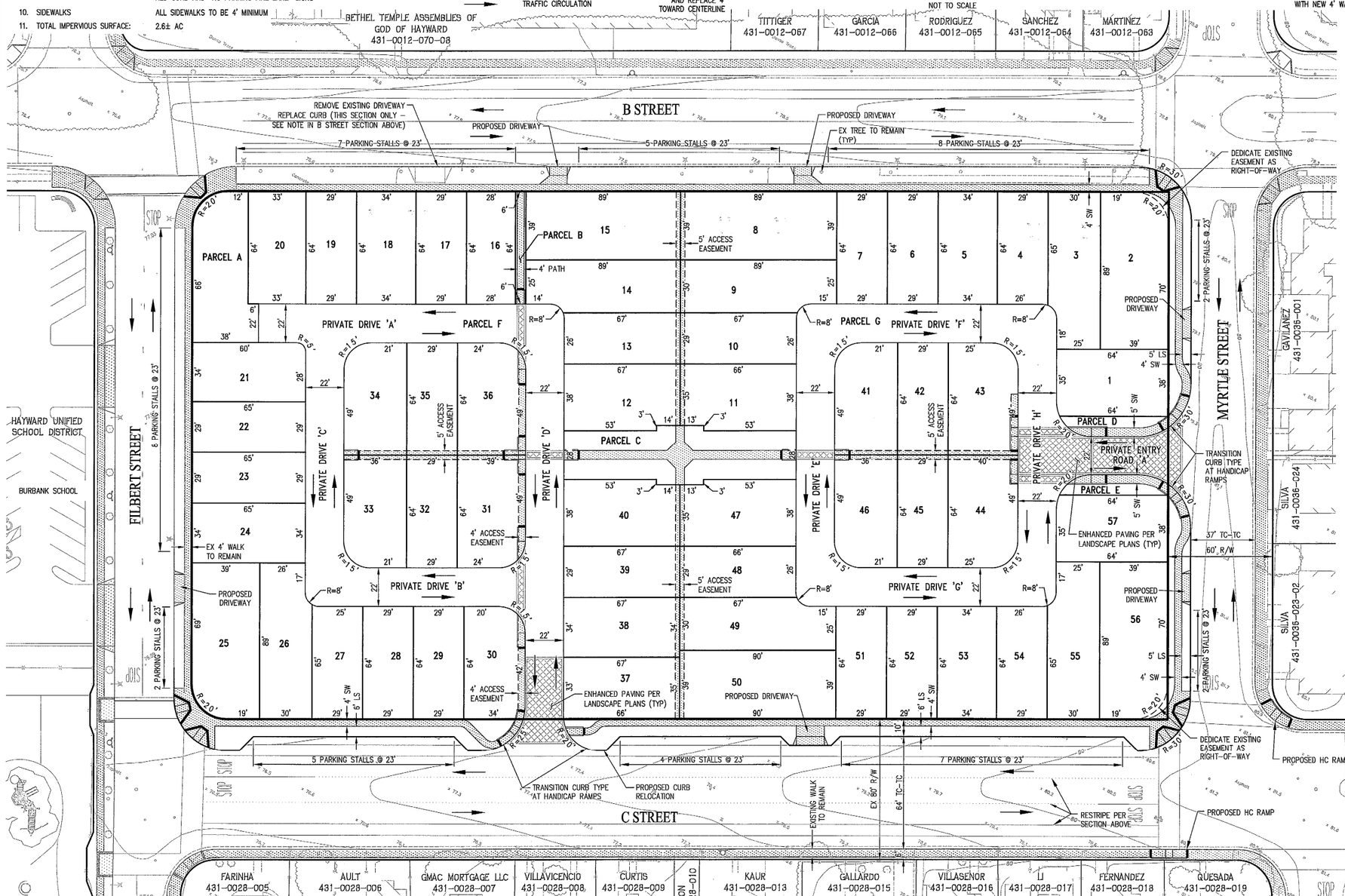
G:\11508\ACAD\TM\TM-01.DWG

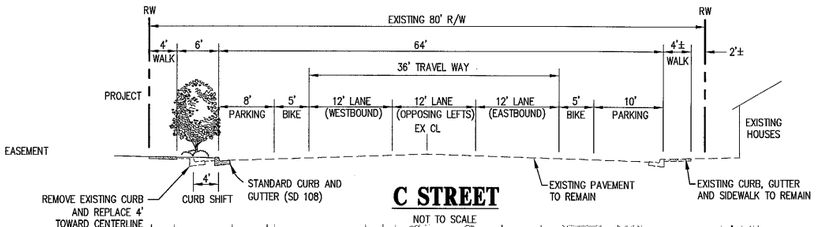
GENERAL NOTES

1. EXISTING ZONING: PUBLIC FACILITIES AND MEDIUM DENSITY RESIDENTIAL
2. PROPOSED ZONING: PLANNED DEVELOPMENT
3. EXISTING LAND USE: PUBLIC FACILITIES (ELEMENTARY SCHOOL)
4. PROPOSED LAND USE: SINGLE-FAMILY RESIDENTIAL
5. TOTAL SITE AREA: 3.84± AC
6. TOTAL NUMBER OF LOTS: 57 SINGLE FAMILY LOTS; 7 PARCELS
7. DENSITY: 14.8 UNITS/AC
8. STREETS: ALL STREETS AND PRIVATE DRIVES WITHIN THE SUBDIVISION WILL BE PRIVATE AND WILL BE PRIVATELY MAINTAINED.
9. FIRE ACCESS: ALL PRIVATE DRIVES WILL BE FIRE LANES WITH RED CURB AND "NO PARKING FIRE LANE" SIGNS
10. SIDEWALKS: ALL SIDEWALKS TO BE 4' MINIMUM
11. TOTAL IMPERVIOUS SURFACE: 2.6± AC

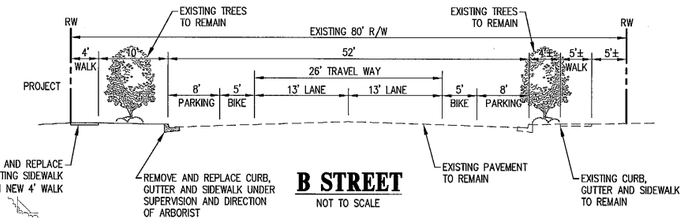
LEGEND

EXISTING	PROPOSED	DESCRIPTION
		PROPERTY LINE
		EASEMENT
		SIDEWALK, PATHWAY
		DECORATIVE PAVING
x 100.0	x 100.0	SPOT ELEVATIONS
	PUE	PUBLIC UTILITY EASEMENT
	PAE	PUBLIC ACCESS EASEMENT
	EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
	SSE	SANITARY SEWER EASEMENT
	WLE	WATERLINE EASEMENT
	1	LOT NUMBER
		TRAFFIC CIRCULATION

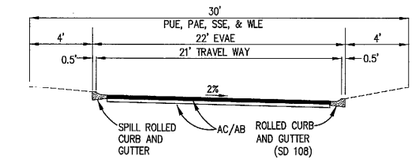




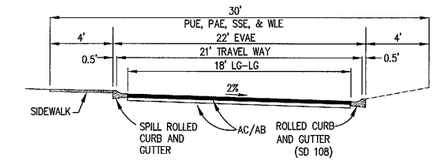
C STREET
NOT TO SCALE



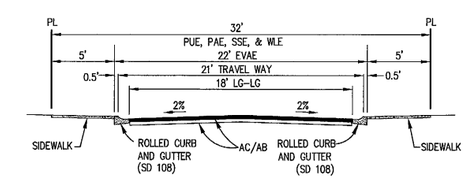
B STREET
NOT TO SCALE



PRIVATE DRIVE 'A', 'B', 'C', 'E', 'F', 'G', 'H'
NOT TO SCALE



PRIVATE DRIVE 'D'
NOT TO SCALE

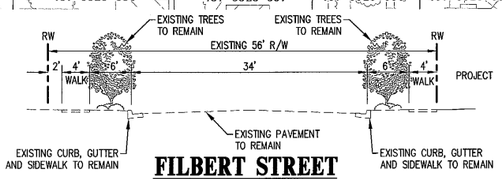


PRIVATE ENTRY ROAD 'A'
NOT TO SCALE

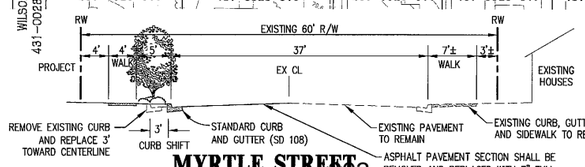
TRACT 7991
VESTING TENTATIVE MAP
SITE & CIRCULATION PLAN
RESIDUAL BURBANK SCHOOL SITE

CITY OF HAYWARD ALAMEDA COUNTY CALIFORNIA

PAVEMENT DESIGN CHART				
STREET NAME	T.I.	ASSUMED R	AC (IN)	AB (IN)
ENTRY ROAD	5.0	5	3	12
PRIVATE DRIVES	5.0	5	3	12



FILBERT STREET
NOT TO SCALE



ASPHALT PAVEMENT SECTION SHALL BE REMOVED AND REPLACED WITH 7" FULL DEPTH ASPHALT CONCRETE ON HALF WIDTH OF MYRTLE STREET ADJACENT TO PROJECT

MYRTLE STREET
NOT TO SCALE

0' 30' 90' 120'

SCALE: 1" = 30' DATE: FEBRUARY 25, 2011

Carlson, Barbee & Gibson, Inc.
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SHEET NUMBER TM.2

3 OF 38

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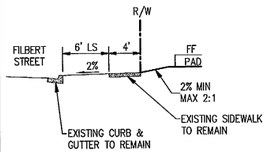

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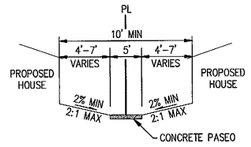

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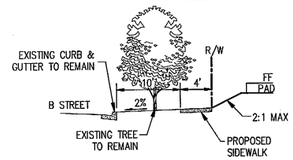

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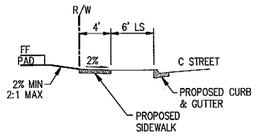

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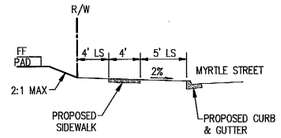

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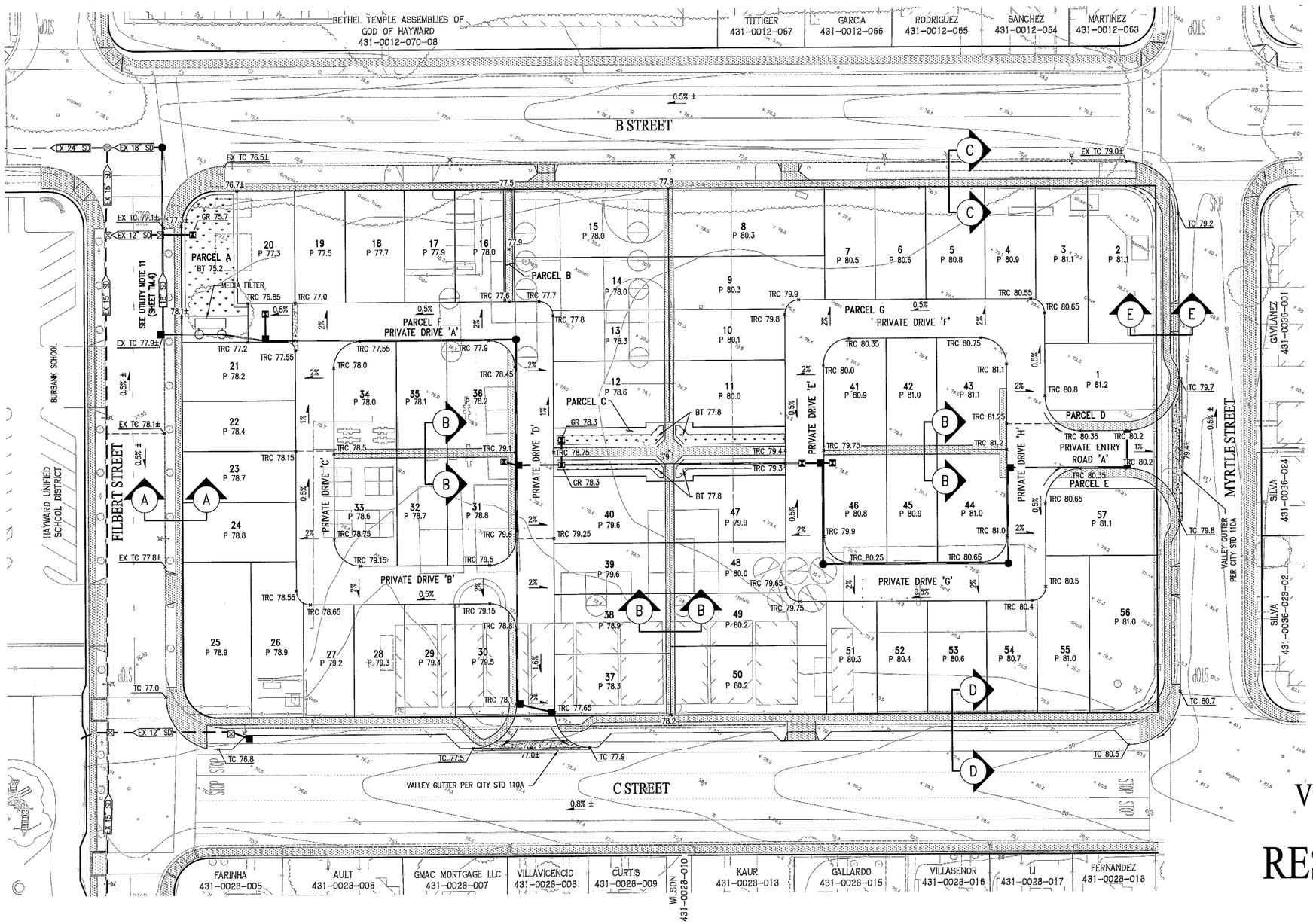

LEGEND

EXISTING	PROPOSED	DESCRIPTION
		PROPERTY LINE
		CURB, GUTTER AND SIDEWALK
		VALLEY GUTTER
× 777.0	x TC 777.70	SPOT ELEVATIONS
EX SD	SD	STORM DRAIN LINE
		SANITARY SEWER MANHOLE
		STORM DRAIN MANHOLE
		CURB INLET
		FIELD INLET
		FIRE HYDRANT
		STREET LIGHT
	20	LOT NUMBER
		BIORETENTION AREA
	BT	BOTTOM ELEVATION
	EX	EXISTING
	GR	TOP OF GRATE
	LS	LANDSCAPE
	R/W	RIGHT-OF-WAY
	TC	TOP OF CURB
	TRC	TOP OF ROLLED CURB

GRADING NOTES

1. GRADING — GRADING WILL BE DONE AS PART OF THIS TRACT
2. LIMIT OF GRADING — THE LIMIT OF GRADING IS THE PROPOSED SUBDIVISION BOUNDARY EXCEPT ANY IMPROVEMENTS ON 'C' STREET AND THE MYRTLE STREET PROJECT ENTRANCE
3. SOILS REPORT — ELEMENTS OF GRADING ARE IN CONFORMANCE WITH PRELIMINARY SOILS REPORT
4. RETAINING WALLS — RETAINING WALLS ADJACENT TO LOTS, PATHS, AND WITHIN SIDEYARDS NOT SHOWN

PRELIMINARY EARTHWORK SUMMARY

DESCRIPTION	CUT	FILL
ROUGH GRADING	1,700 CY	5,700 CY
IMPORT	4,000 CY	–
TOTAL	5,700 CY	5,700 CY

TRACT 7991
VESTING TENTATIVE MAP
GRADING PLAN
RESIDUAL BURBANK SCHOOL SITE

CITY OF HAYWARD ALAMEDA COUNTY CALIFORNIA

0' 30' 90' 120'
SCALE: 1" = 30'
DATE: FEBRUARY 25, 2011

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
6111 BOLLINGER CANYON ROAD, SUITE 150
SAN RAMON, CALIFORNIA 94583
TEL (925) 866-0322
FAX (925) 866-8575

SHEET NUMBER
TM.3
4 OF 38

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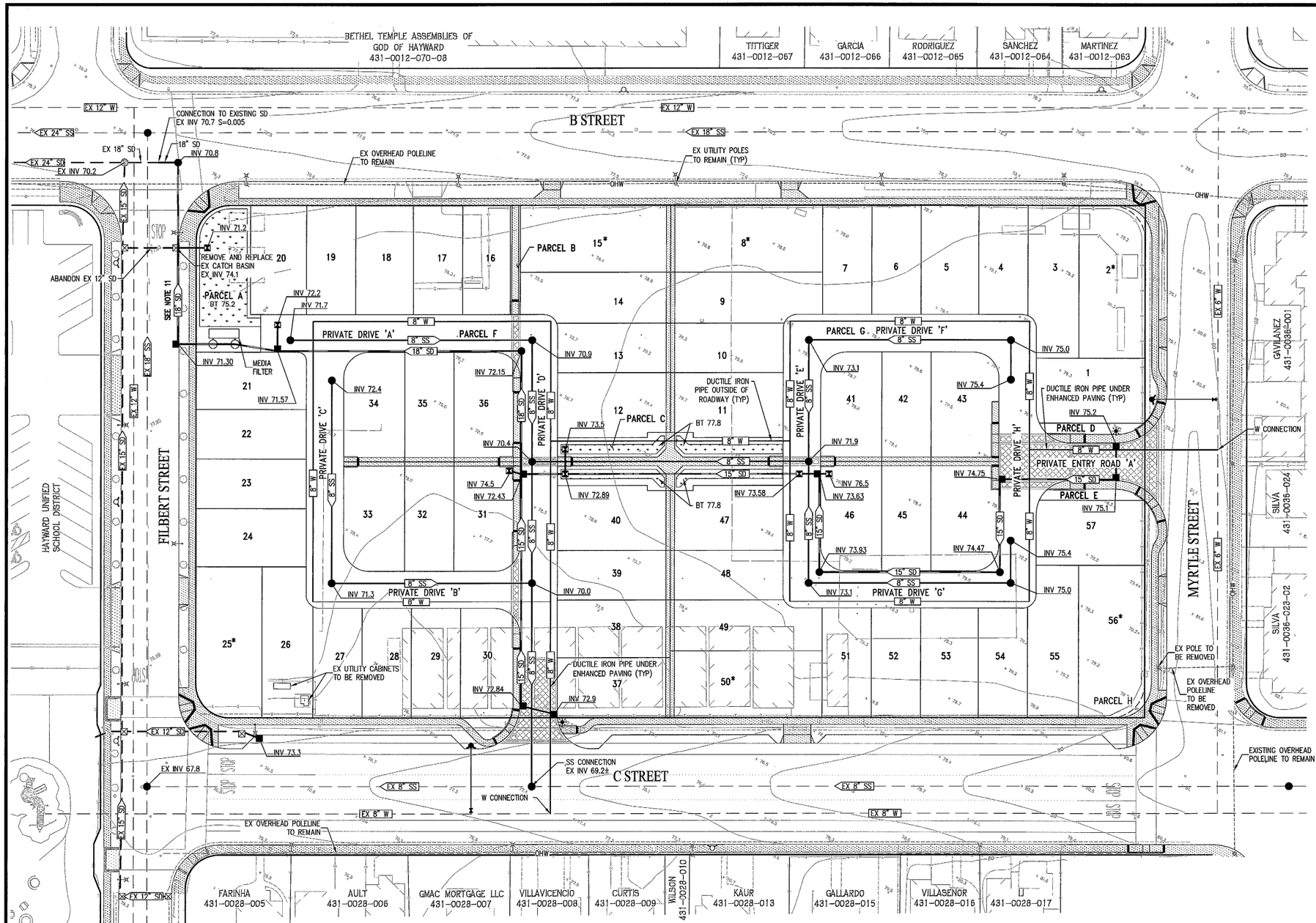

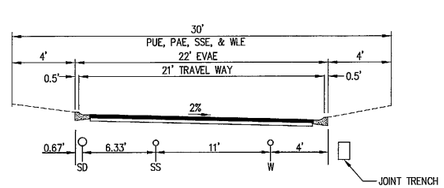

TYPICAL UTILITIES IN PRIVATE DRIVE

NOT TO SCALE

UTILITY NOTES

1. EXISTING UTILITIES: ALL EXISTING UTILITIES WITHIN THE SUBDIVISION BOUNDARY TO BE REMOVED AND/OR RELOCATED PER CITY OF HAYWARD STANDARDS. ALL EXISTING UNDERGROUND & OVERHEAD UTILITIES WITHIN RIGHT OF WAY TO REMAIN.
2. PUBLIC UTILITIES: PROPOSED WATER & SANITARY SEWER FACILITIES WITHIN THE SUBDIVISION WILL BE CONSTRUCTED PER LOCAL STANDARDS AND DEDICATED TO THE CITY OF HAYWARD. PRIVATE ROADWAYS WILL BE WITHIN A PUE FOR ACCESS.
3. STORM DRAIN: PUBLIC (CITY OF HAYWARD)
   MIN SLOPE OF PROPOSED STORM DRAIN PIPE = 0.002
   PUBLIC STORM DRAIN FACILITIES TO BE CONSTRUCTED TO CITY OF HAYWARD STANDARDS.
   ALL STORM PIPE TO BE RCP OR NDS N-12 PER CITY OF HAYWARD STANDARDS.
4. WATER: CITY OF HAYWARD
   WATER SHALL BE CONSTRUCTED OF PVC PER CITY ORDINANCE.
   ALL WATERLINES LOCATED WITHIN EASEMENTS (NON-ROADWAY) AND UNDER ENHANCED PAVING SHALL BE DUCTILE IRON PIPE.
5. SEWER: CITY OF HAYWARD
   STANDARD MIN SLOPE OF PROPOSED SEWER PIPE = 0.0035
   MIN SIZE OF PROPOSED SEWER MAIN IS 8".
   SEWER SHALL BE CONSTRUCTED OF PVC PIPE PER CITY ORDINANCE.

*6. SEWER LATERALS: LOTS 2, 8, 15, 25, 50 AND 56 DO NOT FRONT PRIVATE DRIVES. THESE LOTS WILL HAVE SEWER LATERALS CONNECTING TO THE EXISTING TRUNK MAINS IN B STREET, C STREET AND FILBERT STREET.

7. GAS & ELECTRIC: PG&E
8. TELEPHONE: AT&T
9. CABLE TV: COMCAST CABLE
10. UTILITIES: UTILITIES SHOWN ARE TO BE USED AS A GUIDE AND MAY CHANGE DURING FINAL DESIGN. DESIGN SHALL ADHERE TO CITY OF HAYWARD STANDARDS.
11. FILBERT STREET: FULL WIDTH OF FILBERT STREET PAVEMENT SECTION SHALL BE GROUND 2 INCHES AND OVERLAID WITH NEW ASPHALT PAVEMENT WHERE STREET PAVEMENT IS PROPOSED TO BE CUT FOR CONSTRUCTION OF NEW STORM DRAIN SYSTEM. REPLACE WHOLE CONCRETE VALLEY GUTTER AT THE INTERSECTION OF FILBERT STREET AND B STREET AFTER NEW STORM DRAIN IS INSTALLED.

LEGEND

EXISTING	PROPOSED	DESCRIPTION
		PROPERTY LINE
		CURB, GUTTER AND SIDEWALK
		VALLEY GUTTER
		CENTERLINE
x 777.0	x TC 777.70	SPOT ELEVATIONS
EX SD	SD	STORM DRAIN LINE (RCP)
EX SS	SS	SANITARY SEWER (PVC)
EX W	W	WATER (PVC)
		SANITARY SEWER MANHOLE
		STORM DRAIN MANHOLE
		CURB INLET
		FIELD INLET
		FIRE HYDRANT
		STREETLIGHT
		OVERHEAD POLES
20		LOT NUMBER
		BIORETENTION AREA
BT		BOTTOM ELEVATION
INV		INVERT
PUE		PUBLIC UTILITY EASEMENT
PAE		PUBLIC ACCESS EASEMENT
EVAE		EMERGENCY VEHICLE ACCESS EASEMENT
SSE		SANITARY SEWER EASEMENT
WLE		WATER LINE EASEMENT
OHW		OVERHEAD WIRES

TRACT 7991
VESTING TENTATIVE MAP
UTILITY PLAN
RESIDUAL BURBANK SCHOOL SITE

CITY OF HAYWARD ALAMEDA COUNTY CALIFORNIA

0' 30' 90' 120'

SCALE: 1" = 30' DATE: FEBRUARY 25, 2011

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
6111 BOLLINGER CANYON ROAD, SUITE 150
SAN RAMON, CALIFORNIA 94583
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FAX (925) 866-8575

SHEET NUMBER TM.4

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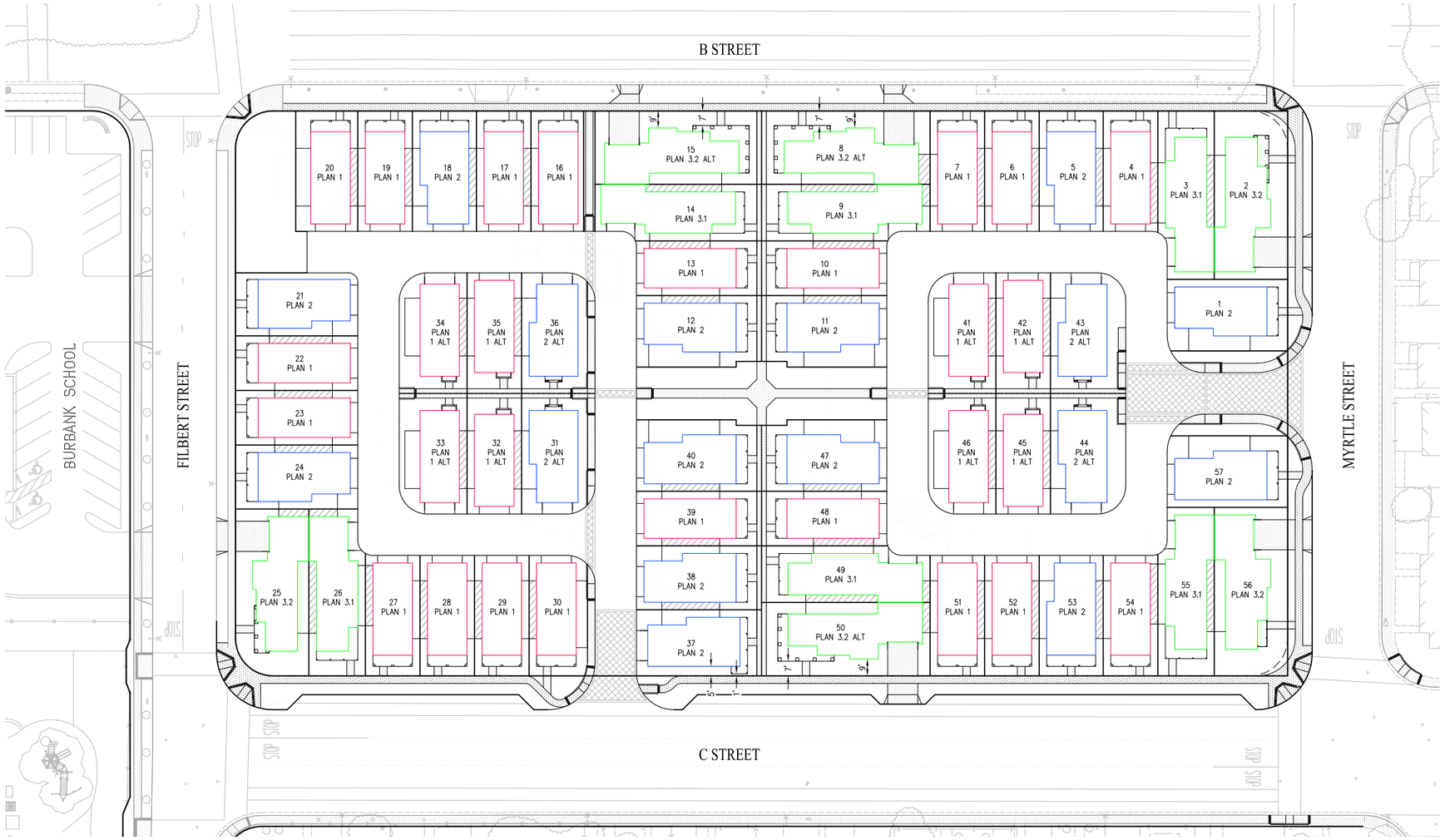
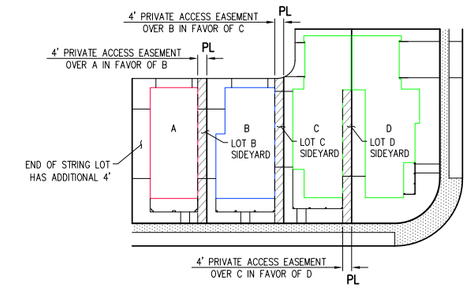
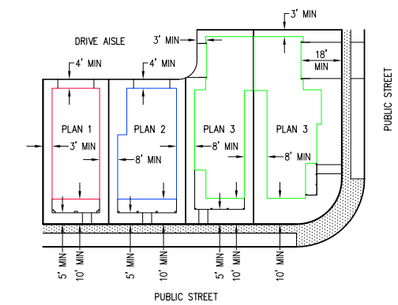
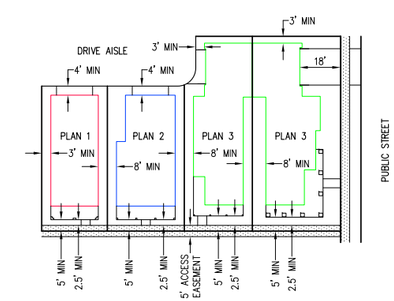




TYPICAL CROSSOVER EASEMENT & LOT CONFIGURATION



TYPICAL SETBACKS ALONG PUBLIC STREET



TYPICAL SETBACKS ALONG PASEO

LOT #	LOT AREA	BUILDING COVERAGE
1	2,427	49%
2	3,404	55%
3	2,571	54%
4	1,857	55%
5	2,176	57%
6	1,856	43%
7	1,856	58%
8	3,490	53%
9	2,588	47%
10	1,929	47%
11	2,486	53%
12	2,486	57%
13	1,929	43%
14	2,563	55%
15	3,452	55%
16	1,792	56%
17	1,856	55%
18	2,176	58%
19	1,856	44%

LOT #	LOT AREA	BUILDING COVERAGE
20	2,112	48%
21	2,172	55%
22	1,885	43%
23	1,885	57%
24	2,210	53%
25	3,371	47%
26	2,573	47%
27	1,857	55%
28	1,856	45%
29	1,856	45%
30	2,191	55%
31	2,452	49%
32	1,858	44%
33	2,258	46%
34	2,258	46%
35	1,858	54%
36	2,452	49%
37	2,332	47%
38	2,261	47%

LOT #	LOT AREA	BUILDING COVERAGE
39	1,928	53%
40	2,486	52%
41	2,258	46%
42	1,858	55%
43	2,514	47%
44	2,514	47%
45	1,858	44%
46	2,258	46%
47	2,486	50%
48	1,929	44%
49	2,588	55%
50	3,490	50%
51	1,856	50%
52	1,856	55%
53	2,176	44%
54	1,857	47%
55	2,571	55%
56	3,405	55%
57	2,427	49%

NOTE:
ALL LOTS ARE SINGLE FAMILY RESIDENTIAL

SETBACKS

- GARAGE: 3' MIN (PRIVATE DRIVE); 18' MIN (PUBLIC STREET)
- SIDE: 3' MIN
- FRONT LIVING SPACE: 8' MIN
- PORCH: 1' MIN

DENSITY

- MAX DENSITY PROPOSED FOR RM ZONING: 17.4 DU/AC
- MAX DENSITY PROPOSED FOR PD ZONING: 14.8 DU/AC

UNIT MIX

PLAN	SF	TOTAL	%
1	1,603	20	35
1 ALT	1,603	8	14
2	1,846	13	23
2 ALT	1,846	4	7
3.1	2,355	6	11
3.2	2,407	3	5
3.2 ALT	2,407	3	5
TOTAL		57	100

PARKING SUMMARY

# UNITS	REQUIRED SPACES	PROVIDED GARAGE	PROVIDED DRIVEWAY	PROVIDED STREET
57	171	114	12	50
		176 TOTAL		

NOTE:
REQUIRED PARKING RATIO = 3 SPACES PER UNIT

TRACT 7991

PLANNED DEVELOPMENT SITE PLAN

RESIDUAL BURBANK SCHOOL SITE

CITY OF HAYWARD ALAMEDA COUNTY CALIFORNIA

0' 30' 90' 120'

SCALE: 1" = 30' DATE: FEBRUARY 25, 2010

cbg
Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
6111 BOLLINGER CANYON ROAD, SUITE 150
SAN RAMON, CALIFORNIA 94583
TEL (925) 866-0322
FAX (925) 866-8575

SHEET NUMBER
C.1
6 OF 38

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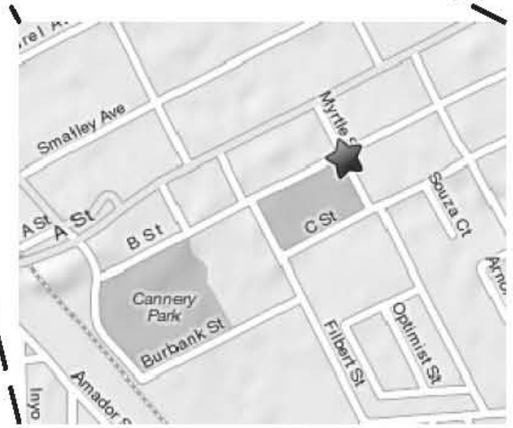
Residual Burbank School Site

Hayward, California

Illustrative Landscape Plans

February 25, 2011

AREA MAP
N.T.S.



VICINITY MAP
N.T.S.

LANDSCAPE SITE DATA:

1. Total Project Size: 167,445 sq. ft.
2. Common Open Space: 22,478 sq. ft.
3. Total Landscaped Area: 46,471 sq. ft.
4. Total Turf Area: 4712 sq. ft.
5. Maximum Applied Water Allowance (MAWA): 891,444 gal/yr. (See Sheet L.7)
6. Estimated Total Water Use (ETWU): 661,355 gal/yr. (See Sheet L.7)

SHEET SCHEDULE

ILLUSTRATIVE SITE PLAN	L.1
FENCING PLAN	L.2
SITE LIGHTING PLAN	L.3
ILLUSTRATIVE PASEO PLAN	L.4
TYPICAL STREET FRONTING PLAN	L.5
ENTRY TRELLIS PLAN AND ELEVATION	L.6
IRRIGATION NOTES AND LEGENDS	L.7
IRRIGATION DETAILS	L.8
TYPICAL PASEO HYDROZONE PLAN	L.9
TYPICAL STREET FRONTING HYDROZONE PLAN	L.10
ILLUSTRATIVE DETAILS	L.11

The Owner and Developer for the site is:
Urban Dynamic, LLC
390 Bridge Parkway, Suite C
Redwood Shores, CA 94065
(650) 591-0500

The Civil Engineer is:
CBG, Inc.
6111 Bollinger Canyon Road Suite 150
San Ramon, California 94583
(925) 866-0522

The Architect is:
KTGY Group, Inc.
285 4th Street, Third Floor
Oakland, CA 94607
(510) 272-2910

The Landscape Architect is:
Randall Planning and Design, Inc.
1475 N. Broadway, Suite 290
Walnut Creek, CA 94596
(925) 934-8002

RANDALL PLANNING & DESIGN, INC.
Landscape Architecture
Site and Environmental Planning
1475 N. Broadway Suite 290
Walnut Creek, California 94596
Office: (925) 934-8002 Facsimile: (925) 934-8333

Urban Dynamic, LLC
390 Bridge Parkway, Suite C
Redwood Shores, Ca. 94065

SHEET NUMBER
L.0
7 OF 38

ILLUSTRATIVE SITE PLAN
SCALE: 1"=30'

PLANT PALETTE

SIZE	BOTANICAL NAME	COMMON NAME	COMMENTS/ SPACING
TREES			
15 gal.	Acer p. 'Bloodgood'	Japanese Maple	Accent Tree
24" box	Acer r. 'Red Sunset'	Red Sunset Red Maple	Myrtle Street Tree
15 gal.	Cercis c. 'Forest Pansy'	Eastern Redbud	Accent Tree
24" box	Lagerstroemia i. 'Tuskegee'	Crape Myrtle	Accent Tree & Paseo Tree
15 gal.	Melia azedarach	Flowering Chinaberry	Accent Tree & Paseo Tree
24" box	Pistacia chinensis	Chinese Pistache	Paseo Tree
15 gal.	Podocarpus macrophyllus 'Maki'	Podocarpus	Screen Tree / Drive Aisles
24" box	Prunus c. 'Krauter's Vesuvius'	Purple Leaf Plum	Accent Tree
24" box	Pyrus c. 'Chanticleer'	Flowering Pear	C Street Tree
24" box	Quercus agrifolia	Coast Live Oak	Bioretention Area/B and Filbert
SHRUBS			
5 gal.	Agapanthus africanus	Lily-of-the-Nile	Bioretention Areas
5 gal.	Agapanthus 'Peter Pan'	Dwarf Lily-of-the-Nile	
5 gal.	Berberis j. 'Gross Beauty'	Japanese Barberry	
5 gal.	Camellia s. 'Yuletide'	Camellia	
1 gal.	Carex flacca	Blue Sedge	Bioretention Areas
5 gal.	Choisya a. 'Aztec Pearl'	Mexican Mock Orange	
5 gal.	Elaeagnus p. 'Silver Princess'	Elaeagnus	
1 gal.	Hemerocallis 'Stella d'Oro'	Stella d'Oro Daylily	
1 gal.	Liriope muscari	Big Blue Lily Turf	Bioretention Areas
5 gal.	Loropetalum c. 'Razzleberri'	Loropetalum	
1 gal.	Nandina pygmaea	Dwarf Nandina Green	
1 gal.	Ophiopogon japonicus	Mondo Grass	Bioretention Areas
5 gal.	Photinia x fraseri 'Red Robin'	Photinia	Bioretention Areas
5 gal.	Rhaphiolepis i. 'Pallacrse'	Indian Hawthorn	
5 gal.	Rosmarinus o. 'Collingwood Ingram'	Rosemary	
5 gal.	Rosa 'Meidiland Red'	Red Meidiland Rose	
5 gal.	Pittosporum t. 'Wheeler's Dwarf'	Dwarf Pittosporum	
GROUNDCOVERS & VINES			
1 gal.	Cotula atrolutea	Brass Buttons	
1 gal.	Erigeron karvinskianus	Daisy Fleabane	
1 gal.	Lonicera sempervirens	Coral Honeysuckle	
1 gal.	Trachelospermum jasminoides	Star Jasmine	
1 gal.	Vinca minor	Periwinkle	
1 gal.	Wisteria sinensis	Chinese Wisteria	
Hydro.	Festuca rubra	Creeping Red Fescue	Bioretention Areas
SOD	Dwarf Fescue	Mustang Dwarf Fescue	

RED SUNSET MAPLE

FLOWERING PEAR

CHINESE PISTACHE

EASTERN REDBUD

Illustrative Site Plan

SCALE: 1" = 30'
0 15 30 60 90
February 25, 2011

SHEET NUMBER
L.1
8 OF 38

Urban Dynamic, LLC
390 Bridge Parkway, Suite C
Redwood Shores, Ca. 94065

Residual Burbank School Site

Hayward, California

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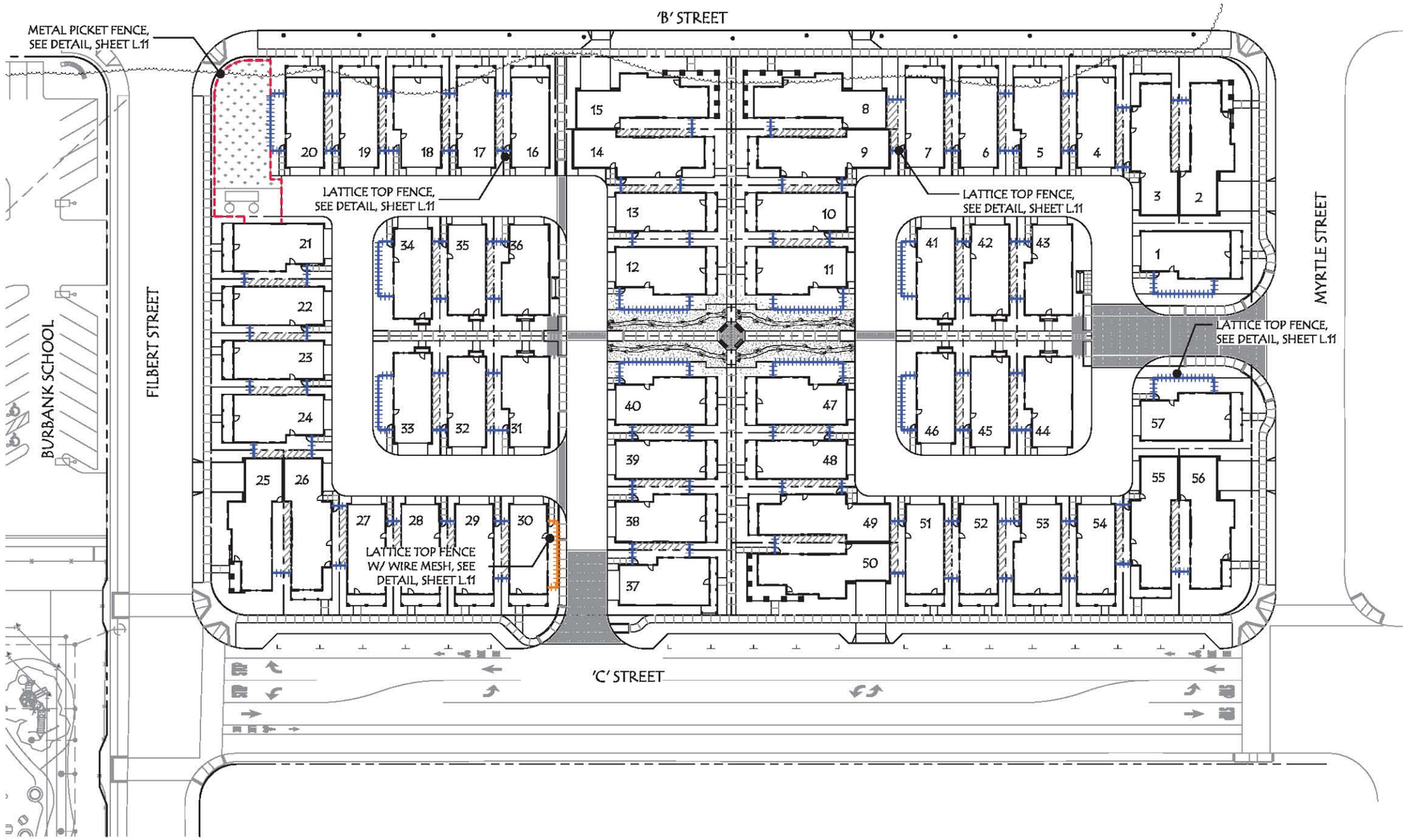
Site and Environmental Planning



FENCING AND WALL LEGEND

LATTICE TOP FENCE W/ WIRE MESH-

LATTICE TOP FENCE -

METAL PICKET FENCE-

FENCING PLAN
SCALE: 1"=30'

SCALE: 1" = 30'
0 15 30 60 90

February 25, 2011

SHEET NUMBER
L.2
9 OF 38

Fencing Plan

Urban Dynamic, LLC
390 Bridge Parkway, Suite C
Redwood Shores, Ca. 94065

Residual Burbank School Site

Hayward, California

RANDALL PLANNING & DESIGN, INC.
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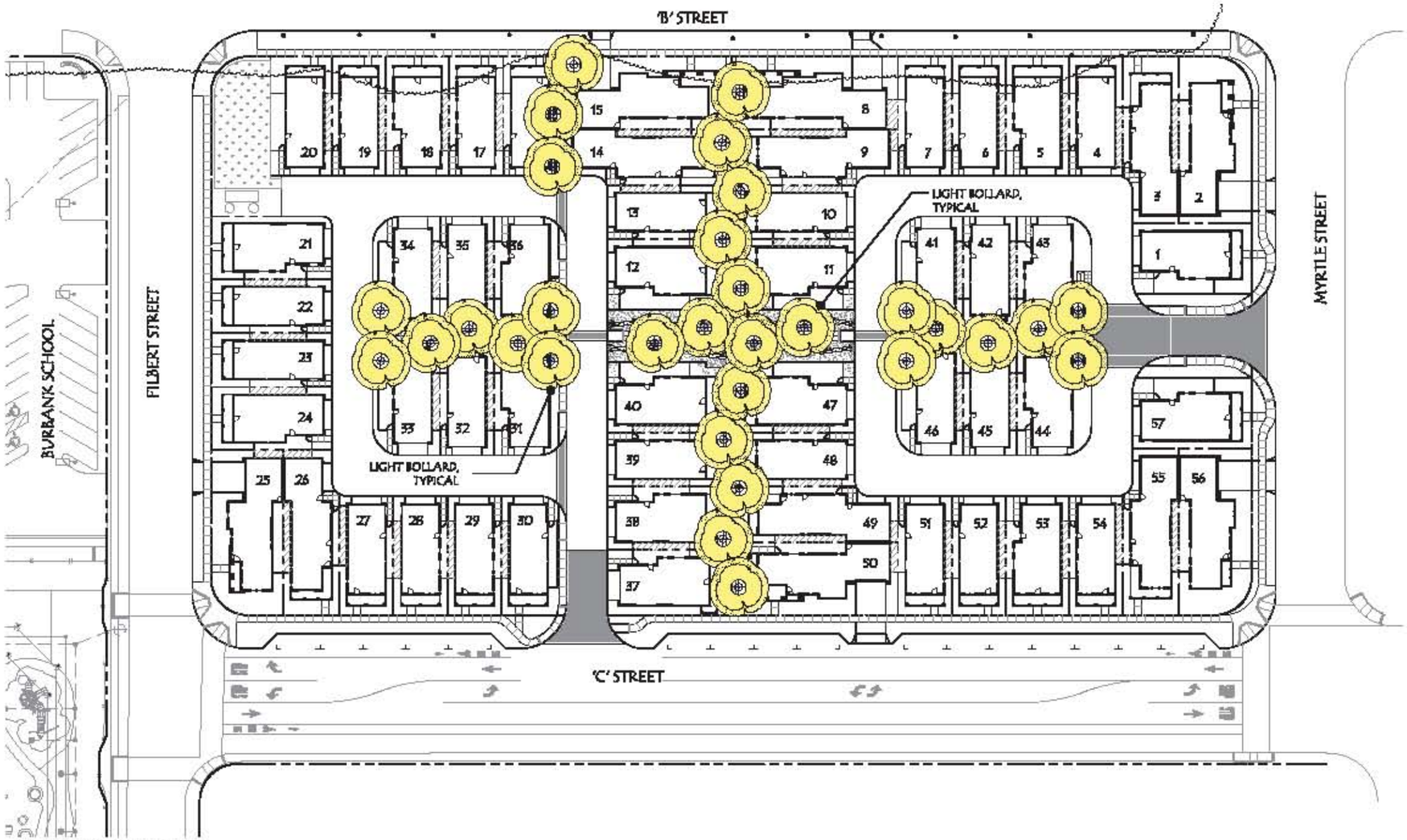

LIGHT BOLLARD

SITE LIGHTING PLAN
SCALE: 1"=30'

SCALE: 1" = 30'
0 15 30 60 90

February 25, 2011

SHEET NUMBER
L.3
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Site Lighting Plan

Urban Dynamic, LLC
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Redwood Shores, Ca. 94065

Residual Burbank School Site

Hayward, California

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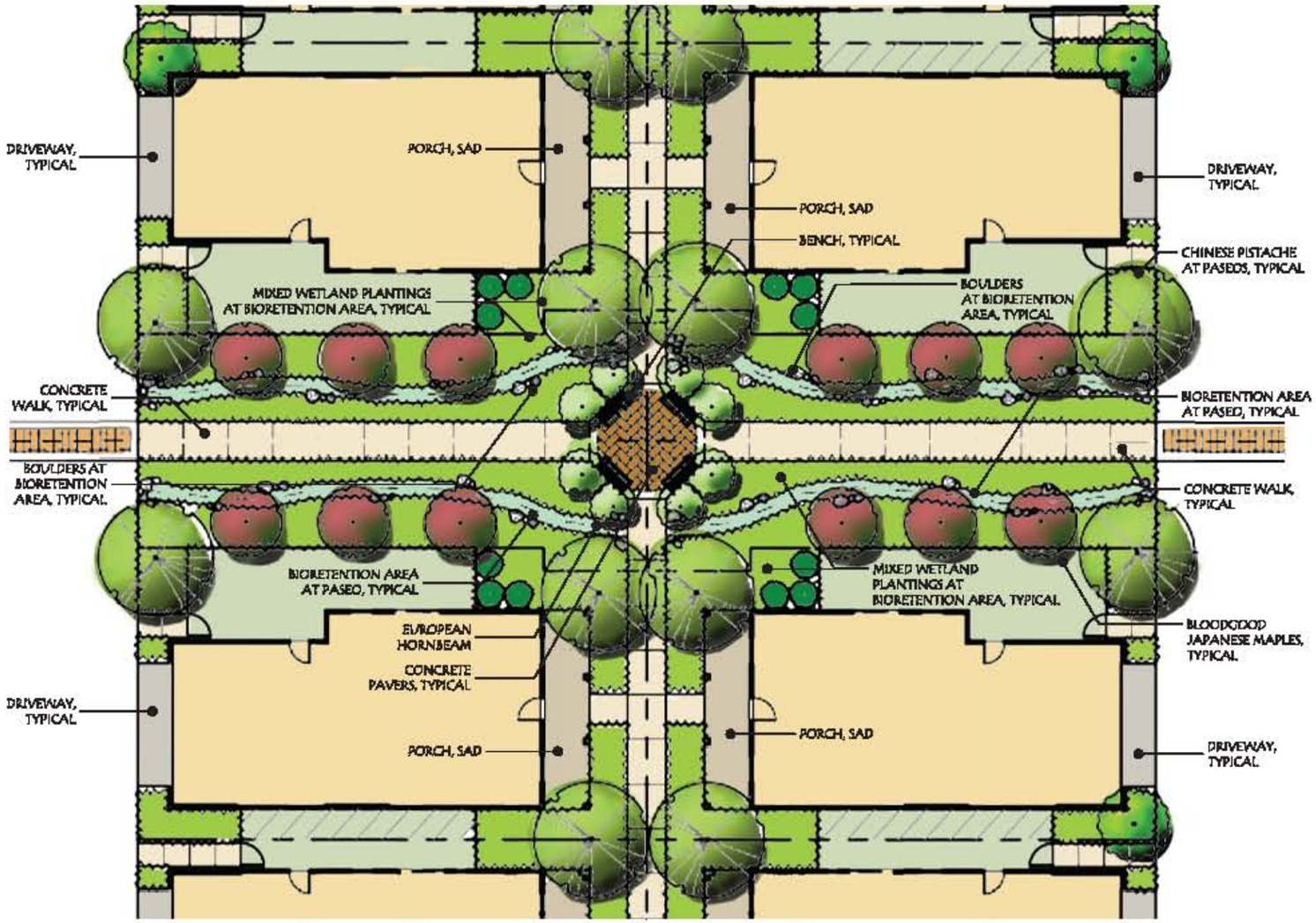

ILLUSTRATIVE PASEO PLAN
SCALE: 1/8"=1'-0"

EUROPEAN HORNBEAM

JAPANESE MAPLE

PURPLE LEAF PLUM

CRABAPPLE

CHINESE PISTACHE

CRAPE MYRTLE

BIORETENTION AREA

COURTYARD PAVING OPTIONS

Illustrative Paseo Plan

SCALE: 1/8"=1'-0"
0 4 8 16 24
February 25, 2011

SHEET NUMBER
L.4
11 OF 38

Urban Dynamic, LLC
390 Bridge Parkway, Suite C
Redwood Shores, Ca. 94065

Residual Burbank School Site

Hayward, California

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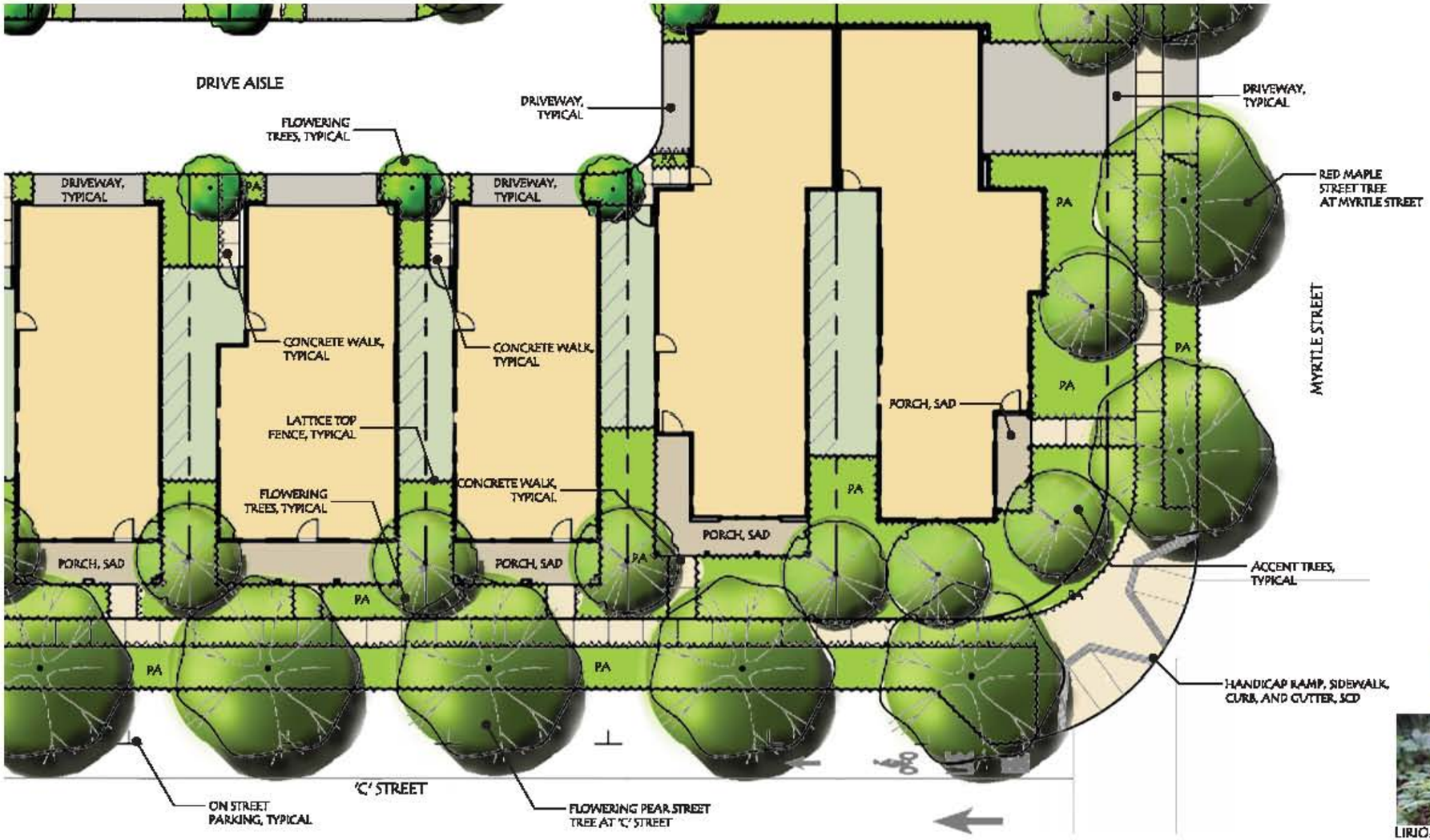
Landscape Architecture
Site and Environmental Planning



TYPICAL STREET FRONTING PLAN
SCALE: 1/8"=1'-0"

CRAPE MYRTLE

RED SUNSET MAPLE

FLOWERING PEAR

CRABAPPLE

CHINESE PISTACHE

DAYLILIES

LOROPETALUM

AGAPANTHUS

LIRIOPE

CAMELLIA

ROSEMARY

Typical Street Fronting Plan

SCALE: 1/8"=1'-0"
0 4 8 16 24
February 25, 2011

SHEET NUMBER
L.5
12 OF 38

Urban Dynamic, LLC
390 Bridge Parkway, Suite C
Redwood Shores, Ca. 94065

Residual Burbank School Site

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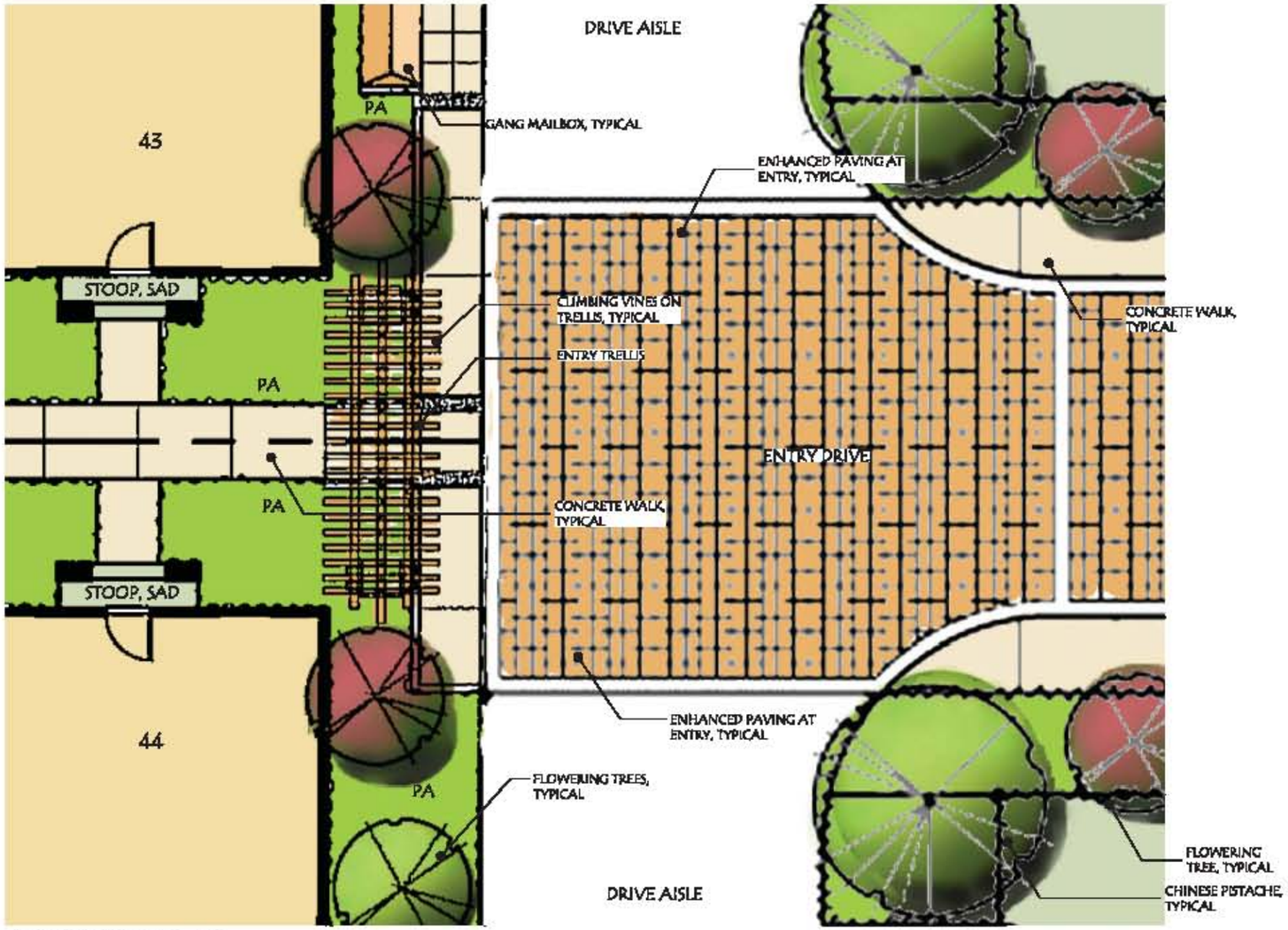
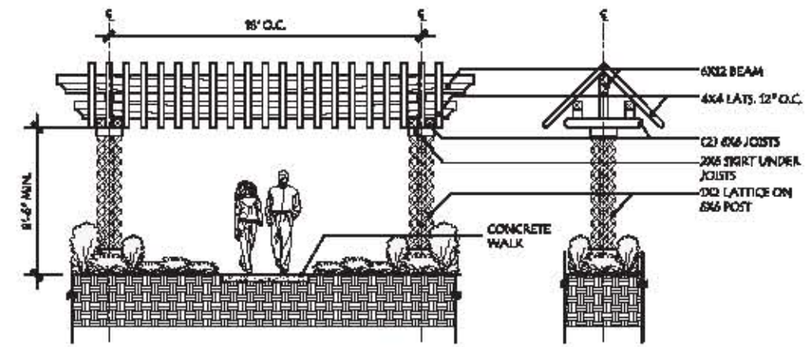


ENTRY TRELLIS PLAN
SCALE: 1/4"=1'-0"



ENTRY TRELLIS
SCALE: 1/4"=1'-0"

Entry Trellis Plan and Elevation

SCALE: 1/4"=1'-0"
0 2 4 8 12

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Urban Dynamic, LLC
390 Bridge Parkway, Suite C
Redwood Shores, Ca. 94065

Residual Burbank School Site

Hayward, California

RANDALL PLANNING & DESIGN, INC.
Landscape Architecture
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IRRIGATION NOTES

1. THESE IRRIGATION DRAWINGS ARE DIAGRAMMATIC AND INDICATIVE OF THE WORK TO BE INSTALLED. ALL PIPING, VALVES, ETC. SHOWN WITHIN PAVED AREAS IS FOR CLARITY ONLY AND ARE TO BE INSTALLED WITHIN PLANTING AREAS WHERE POSSIBLE. DUE TO THE SCALE OF THE DRAWINGS, IT IS NOT POSSIBLE TO INDICATE ALL OFFSETS, FITTINGS, SLEEVES, ETC., WHICH MAY BE REQUIRED. THE CONTRACTOR IS REQUIRED TO INVESTIGATE THE STRUCTURAL AND FINISHED CONDITIONS AFFECTING ALL OF THE CONTRACT WORK INCLUDING OBSTRUCTIONS, GRADE DIFFERENCES OR AREA DIMENSIONAL DIFFERENCES WHICH MAY NOT HAVE BEEN CONSIDERED IN THE ENGINEERING. IN THE EVENT OF FIELD DIFFERENCES, THE CONTRACTOR IS REQUIRED TO PLAN THE INSTALLATION WORK ACCORDINGLY BY NOTIFICATION AND APPROVAL OF THE OWNER'S AUTHORIZED REPRESENTATIVE AND ACCORDING TO THE CONTRACT SPECIFICATION. THE CONTRACTOR IS ALSO REQUIRED TO NOTIFY AND COORDINATE IRRIGATION CONTRACT WORK WITH ALL APPLICABLE CONTRACTORS FOR THE LOCATION AND INSTALLATION OF PIPE, CONDUIT OR SLEEVES THROUGH OR UNDER WALLS, ROADWAYS, PAVING, STRUCTURE, ETC., BEFORE CONSTRUCTION. IN THE EVENT THESE NOTIFICATIONS ARE NOT PERFORMED, THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL REQUIRED REVISIONS.

2. THE INTENT OF THIS IRRIGATION SYSTEM IS TO PROVIDE THE MINIMUM AMOUNT OF WATER REQUIRED TO SUSTAIN GOOD PLANT HEALTH.

3. IT IS THE RESPONSIBILITY OF THE LANDSCAPE MAINTENANCE CONTRACTOR AND/OR OWNER TO PROGRAM THE IRRIGATION CONTROLLERS TO PROVIDE THE MINIMUM AMOUNT OF WATER NEEDED TO SUSTAIN GOOD PLANT HEALTH. THIS INCLUDES MAKING ADJUSTMENTS TO THE PROGRAM FOR SEASONAL WEATHER CHANGES, PLANT MATERIAL, WATER REQUIREMENTS, MOUNDS AND SLOPES, SUN, SHADE, AND WIND EXPOSURES.

4. AT THE END OF THE REQUIRED MAINTENANCE PERIOD OF THE CONTRACTOR, THE OWNER SHALL PROVIDE REGULAR MAINTENANCE OF THE IRRIGATION SYSTEM TO ENSURE THE EFFICIENT USE OF WATER. MAINTENANCE SHALL INCLUDE, BUT NOT BE LIMITED TO CHECKING, ADJUSTING, AND REPAIRING IRRIGATION EQUIPMENT AND CONTROL SYSTEM.

5. 120 VOLT A.C. (2.5 AMP DEMAND PER CONTROLLER) ELECTRICAL SERVICE TO IRRIGATION CONTROLLER LOCATIONS TO BE PROVIDED UNDER ELECTRICAL CONTRACT WORK. IRRIGATION CONTRACTOR TO MAKE FINAL CONNECTION FROM ELECTRICAL STUB-OUT TO CONTROLLERS AND PROVIDE PROPER GROUNDING PER CONTROLLER MANUFACTURER'S INSTRUCTIONS.

6. EACH IRRIGATION CONTROLLER TO HAVE ITS OWN INDEPENDENT 24 VOLT COMMON GROUND WIRE.

7. INSTALL NEW BATTERIES IN IRRIGATION CONTROLLERS TO RETAIN PROGRAM IN MEMORY DURING TEMPORARY POWER FAILURES. USE QUANTITY, TYPE, AND SIZE REQUIRED AS PER CONTROLLER MANUFACTURER'S INSTRUCTIONS.

8. IRRIGATION CONTROL WIRES SHALL BE COPPER WITH U.L. APPROVAL FOR DIRECT BURIAL IN GROUND, SIZE #14-1. COMMON GROUND WIRE SHALL HAVE WHITE INSULATING JACKET. CONTROL WIRE SHALL HAVE INSULATING JACKET OF COLOR OTHER THAN WHITE. SPLICE SHALL BE MADE WITH 3M-DBY SEAL PACKS.

9. INSTALL SPARE CONTROL WIRE OF A DIFFERENT COLOR ALONG THE ENTIRE MAIN LINE. LOOP 36" EXCESS WIRE INTO EACH SINGLE VALVE BOX AND INTO ONE VALVE BOX IN EACH GROUP OF VALVES. MINIMUM OF ONE SPARE WIRE PER CONTROLLER.

10. SPLICING OF 24 VOLT WIRES IS NOT PERMITTED EXCEPT IN VALVE BOXES. SEAL WIRE SPLICES WITH 3M-DBY SPLICE SEALING DEVICES OF SIZE COMPATIBLE WITH WIRE SIZE. LEAVE A 36" LONG, 1" DIAMETER COIL OF EXCESS WIRE AT EACH SPLICE AND A 36" LONG EXPANSION LOOP EVERY 100 FEET ALONG WIRE RUN. TAPE WIRES TOGETHER EVERY TEN FEET. TAPING WIRES IS NOT REQUIRED INSIDE SLEEVES.

11. PLASTIC VALVE BOXES ARE TO BE GREEN IN COLOR WITH BOLT DOWN, NON-HINGED COVER MARKED "IRRIGATION". BOX BODY SHALL HAVE KNOCK OUTS. MANUFACTURER SHALL BE CARSON INDUSTRIES.

12. INSTALL REMOTE CONTROL VALVE BOXES 12" FROM WALK, CURB, BUILDING, OR LANDSCAPE FEATURE. AT MULTIPLE VALVE BOX GROUPS, EACH BOX SHALL BE 12" FROM THE WALK, CURB, ETC. AND EACH BOX SHALL BE 12" APART.

13. VALVE LOCATIONS SHOWN ARE DIAGRAMMATIC. INSTALL IN GROUND COVER/SHRUB AREAS WHERE POSSIBLE (NOT IN LAWN AREA).

14. THE IRRIGATION CONTRACTOR SHALL FLUSH AND ADJUST ALL SPRINKLER HEADS FOR OPTIMUM PERFORMANCE AND TO PREVENT OVER SPRAY ONTO WALKS, ROADWAYS, AND/OR BUILDINGS AS MUCH AS POSSIBLE. THIS SHALL INCLUDE SELECTING THE BEST DEGREE OF ARC TO FIT THE EXISTING SITE CONDITIONS AND TO THROTTLE THE FLOW CONTROL AT EACH VALVE TO OBTAIN THE OPTIMUM OPERATING PRESSURE FOR EACH SYSTEM.

15. ALL SPRINKLER HEADS SHALL BE SET PERPENDICULAR TO FINISH GRADE OF THE AREA TO BE IRRIGATED UNLESS OTHERWISE NOTED ON THE DRAWINGS.

16. LOCATE BUBBLERS ON UP-HILL SIDE OF PLANT OR TREE.

17. INSTALL A VALCON 6000 SERIES SPRING LOADED CHECK VALVE BELOW THOSE BUBBLERS WHERE LOW HEAD DRAINAGE WILL CAUSE EROSION AND/OR EXCESS WATER.

18. WHERE IT IS NECESSARY TO EXCAVATE ADJACENT TO EXISTING TREES, THE CONTRACTOR SHALL USE ALL POSSIBLE CARE TO AVOID INJURY TO TREES AND TREE ROOTS. EXCAVATION IN AREAS WHERE TWO (2) INCH AND LARGER ROOTS OCCUR SHALL BE DONE BY HAND. TRENCHES ADJACENT TO TREE SHOULD BE CLOSED WITHIN TWENTY-FOUR (24) HOURS; AND WHERE THIS IS NOT POSSIBLE, THE SIDE OF THE TRENCH ADJACENT TO THE TREE SHALL BE KEPT SHADED WITH BURLAP OR CANVAS.

19. IRRIGATION CONTRACTOR TO NOTIFY ALL LOCAL JURISDICTIONS FOR INSPECTION AND TESTING OF INSTALLED BACKFLOW PREVENTION DEVICE.

20. THE SPRINKLER SYSTEM DESIGN IS BASED ON THE MINIMUM OPERATING PRESSURE SHOWN ON THE IRRIGATION DRAWINGS. THE IRRIGATION CONTRACTOR SHALL VERIFY WATER PRESSURE PRIOR TO CONSTRUCTION. REPORT ANY DIFFERENCE BETWEEN THE WATER PRESSURE INDICATED ON THE DRAWINGS AND THE ACTUAL PRESSURE READING AT THE IRRIGATION POINT OF CONNECTION TO THE OWNER'S AUTHORIZED REPRESENTATIVE.

21. PIPE THREAD SEALANT COMPOUND SHALL BE LASCO #805-305, PERMATEX 51 OR RECTOR SEAL T+2.

IRRIGATION LEGEND

SYMBOL	MODEL NUMBER	DESCRIPTION
●	1401	RAINBIRD BUBBLER (SHRUB)
■	1401/RWS-BCG	RAINBIRD BUBBLER WITH DEEP WATERING BUBBLER ASSEMBLY AND CHECK VALVE. (TREE)
	PEB-SERIES	RAINBIRD REMOTE CONTROL VALVE
	T-113-RR	NIBCO GATE VALVE (LINE SIZE)
	975XL-1"	WILKINS REDUCED PRESSURE BACKFLOW ASSEMBLY
Ⓐ Ⓑ Ⓒ	ESP-16LXI Plus	RAINBIRD CONTROLLER (WALL MOUNT)
	MINI-CLIK	HUNTER RAIN SWITCH
		CONTROLLER & STATION NUMBER
		APPROXIMATE FLOW (GPM)
		REMOTE CONTROL VALVE SIZE
		MAIN LINE: 1120-SCHEDULE 40 PVC PLASTIC PIPE WITH SCHEDULE 40 PVC SOLVENT-WELD FITTINGS. 18" COVER.
		LATERAL LINE: ¾" & LARGER: 1120-CL 200 PVC PLASTIC PIPE WITH SCHEDULE 40 PVC SOLVENT-WELD FITTINGS. 12" COVER.
		SLEEVING: 1120-CL. 200 PVC PLASTIC PIPE. 18" COVER.

LANDSCAPE WATER USE STATEMENT

Project Name: Residual Burbank School Site

Project Address: Hayward, California

Prepared by: Dickson & Associates, Inc.
9050 B Deschutes Road
Palo Cedro, CA 96073
(530) 547-5515

PART ONE Maximum Applied Water Allowance (MAWA)

MAWA= (ETo)(0.62)(0.7xLA)

ETo- Reference Evapotranspiration (44.2 in./yr.)
0.62- Conversion Factor (to gallons/sq. ft.)
0.7- ET Adjustment Factor
LA- Landscaped Area in sq. ft.

MAWA= (44.2)(0.62)(0.7x46,471)

Maximum Applied Water Allowance 891,444 (Gallons per Year)

PART TWO Estimated Total Water Use (ETWU) See Table Below

$$ETWU = (ETo)(0.62)\left\{\frac{PFxHA}{IE}\right\}$$

PF*- Plant Factor
HA*- Hydrozone Area (high, moderate and low water use areas in sq. ft.)
IE*- Irrigation Efficiency

* See City of Hayward Water Efficient Landscape Worksheet for factors

Landscape Zone (See Plans)	Hydrozone Area (HA) (square feet)	Plant Factor (PF)	Irrigation Efficiency (IE)	ETWU (gallons/yr.)
A	4,712	0.7	0.75	120,519
B	21,238	0.5	0.85	342,357
C	20,521	0.3	0.85	198,479
Total	46,471			661,355

DICKSON & ASSOCIATES, INC.
LANDSCAPE IRRIGATION
WARTY DICKSON, ASIC
TEL(530) 547-5515 FAX(530) 547-5513
P.O. BOX 418
PALO CEDRO, CALIFORNIA 96073

Irrigation Notes and Legends

February 25, 2011

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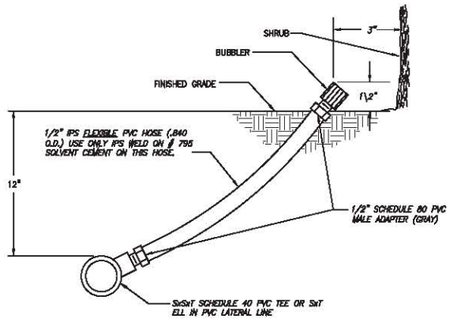
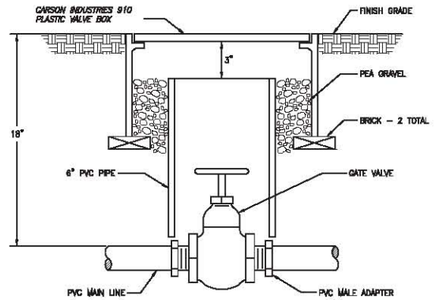


SHRUB BUBBLER WITH FLEXIBLE RISER
NOT TO SCALE



GATE VALVE
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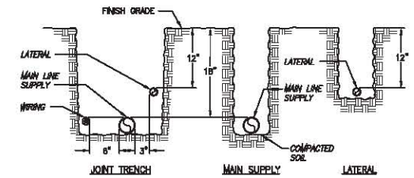
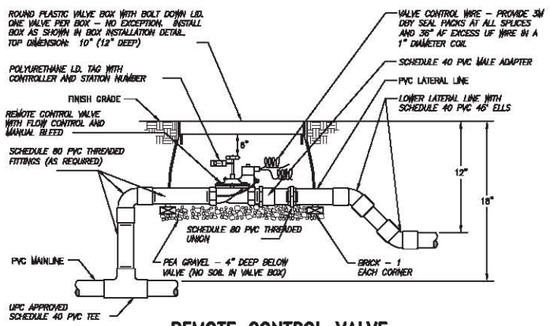


NOTES:
1. ALL PLASTIC PIPING SHALL BE INSTALLED IN THE TRENCH IN A SERPENTINE MANNER AS PER THE MANUFACTURER'S SPECIFICATIONS.
2. ALL SUPPLY LINES TO BE INSTALLED AS PER MANUFACTURER SPECIFICATIONS.
3. TAPE AND BUNDLE TUBING OR WIRING AT 10 FEET INTERVALS.
4. ALL 120 VOLT WIRING IN CONDUIT TO BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE CODES.
5. BACKFILL MATERIAL SHALL BE THE EARTH EXCAVATED FROM THE TRENCHES, FREE FROM ROCKS, CONCRETE CHUNKS, AND OTHER FOREIGN OR COARSE MATERIALS. CAREFULLY SELECT BACKFILL THAT IS TO BE PLACED NEXT TO PLASTIC PIPE TAP AVOID ANY SHARP OBJECTS WHICH MAY DAMAGE THE PIPE.

TRENCHING DETAIL
NOT TO SCALE



REMOTE CONTROL VALVE
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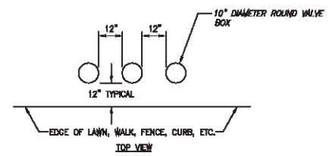
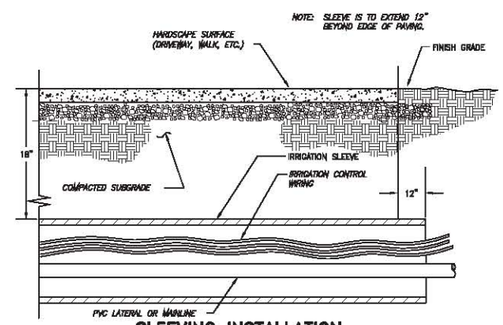
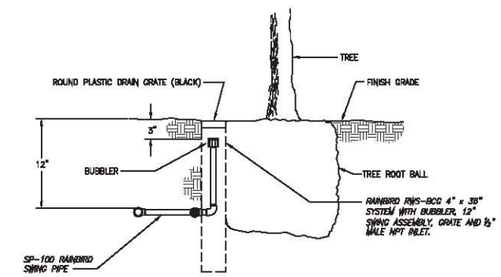


1. CENTER VALVE BOX OVER REMOTE CONTROL VALVE TO FACILITATE SERVICING VALVE.
2. SET BOXES 1" ABOVE FINISH GRADE OR MULCH COVER IN GROUND COVER/SHRUB AREA AND FINISH GRADE IN TURF AREA.
3. SET RCV AND VALVE BOX ASSEMBLY IN GROUND COVER/SHRUB AREA WHERE POSSIBLE. INSTALL IN LAWN ONLY IF GROUND COVER DOES NOT EXIST ADJACENT TO LAWN.
4. AVOID HEAVILY COMPACTING SOIL AROUND VALVE BOXES TO PREVENT COLLAPSE AND DEFORMATION OF VALVE BOX SIDES.
5. INSTALL EXTENSION BY VALVE BOX MANUFACTURER AS REQUIRED TO COMPLETELY ENCLOSE ASSEMBLY FOR EASY ACCESS.

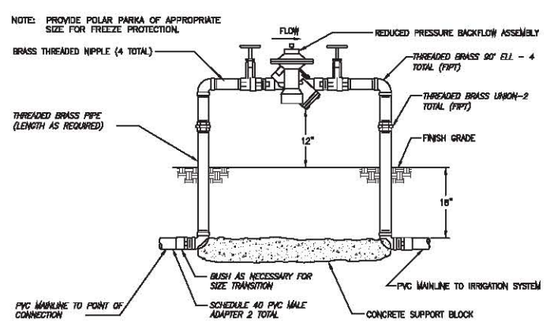
VALVE BOX INSTALLATION
NOT TO SCALE



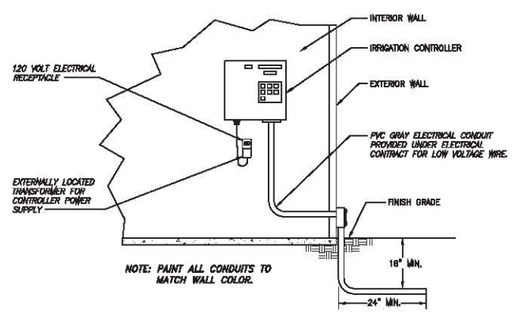
SLEEVING INSTALLATION
NOT TO SCALE



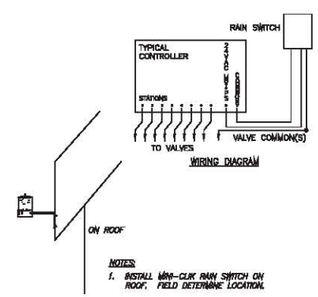
TREE BUBBLER
NOT TO SCALE



REDUCED PRESSURE BACKFLOW ASSEMBLY
NOT TO SCALE



INTERIOR WALL MOUNT CONTROLLER
NOT TO SCALE



RAIN SWITCH INSTALLATION
NOT TO SCALE

Irrigation Details

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Residual Burbank School Site

Hayward, California

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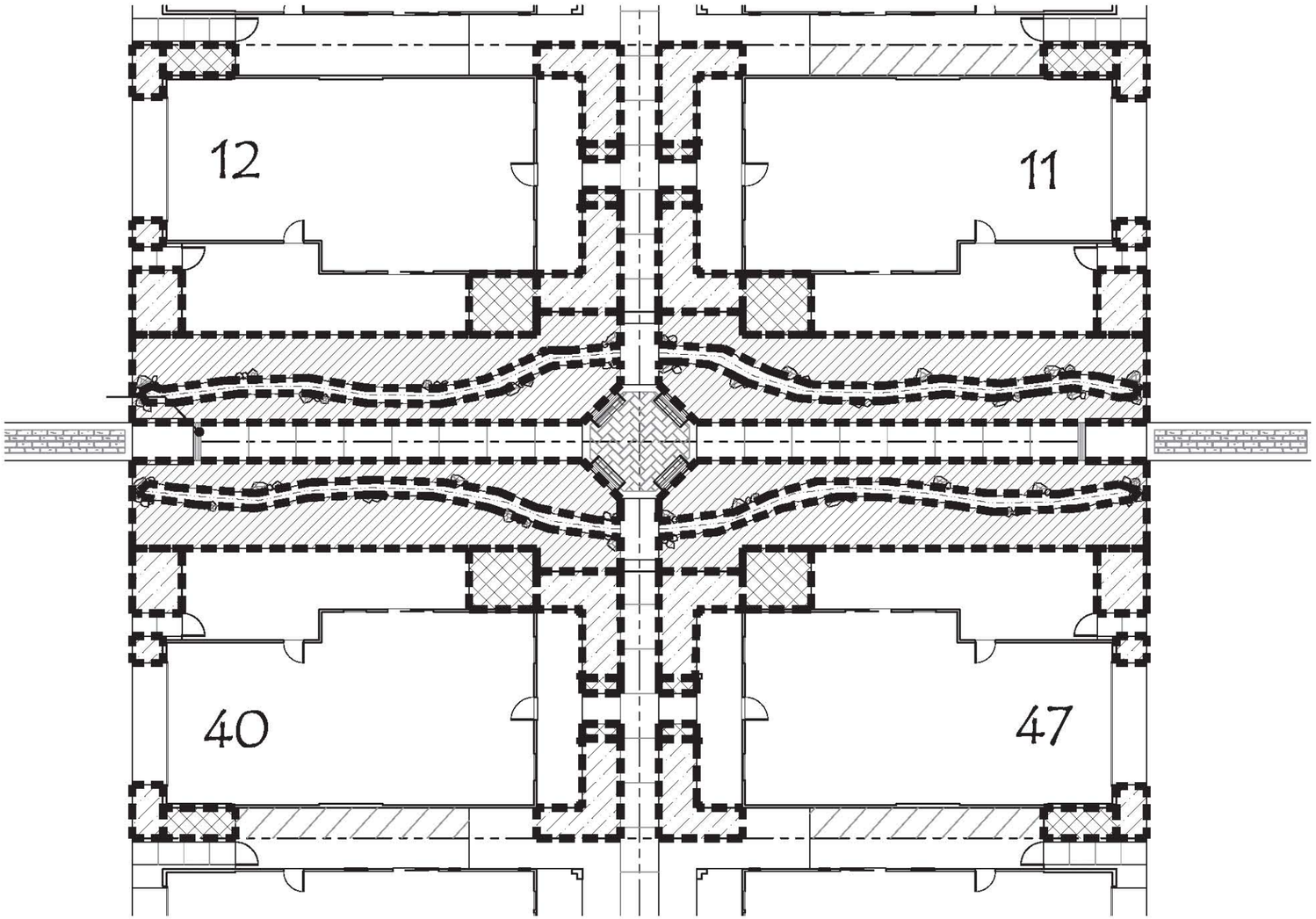

TYPICAL PASEO HYDROZONE PLAN
SCALE: 1/8"=1'-0"

LANDSCAPE ZONES

- A — MIXED WETLAND PLANTINGS AT BIORETENTION AREA– HIGH WATER USE
- B — ORNAMENTAL SHRUBS W/ BUBBLER IRRIGATION–MEDIUM WATER USE
- C — ORNAMENTAL SHRUBS W/ BUBBLER IRRIGATION–LOW WATER USE

IRRIGATION NOTES:

1. The irrigation shall be designed to separately circuit the different zones high, medium, and low water needs.
2. The irrigation system shall have a rainfall sensing device to avoid operation of the system during periods of increased rainfall.
3. The heads used shall be matched precipitation sprinklers.

SCALE: 1/8"=1'-0"
0 4 8 16 24
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Typical Paseo Hydrozone Plan

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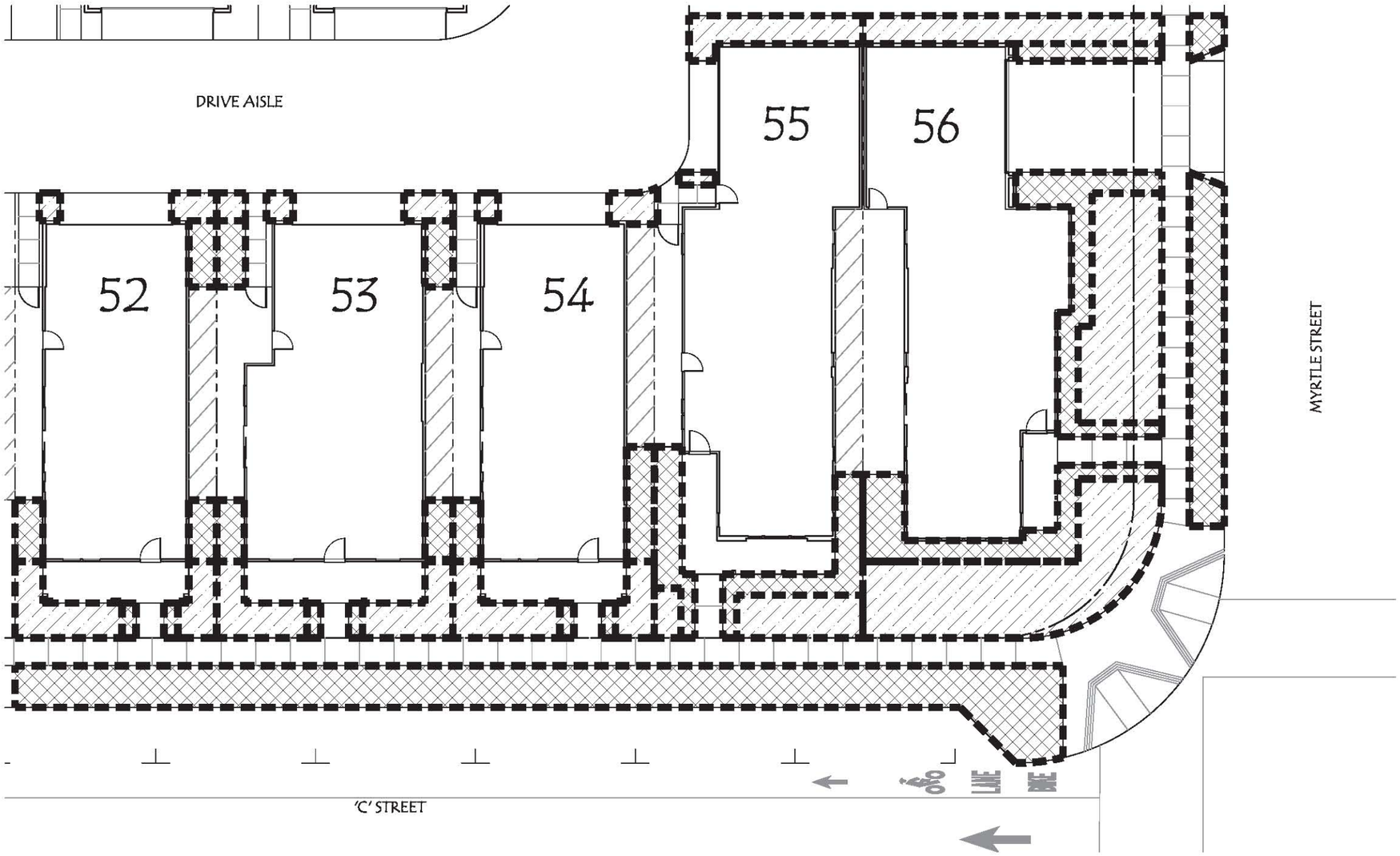

TYPICAL STREET FRONTING HYDROZONE PLAN
SCALE: 1/8"=1'-0"

LANDSCAPE ZONES

- A — MIXED WETLAND PLANTINGS AT BIORETENTION AREA– HIGH WATER USE
- B — ORNAMENTAL SHRUBS W/ BUBBLER IRRIGATION–MEDIUM WATER USE
- C — ORNAMENTAL SHRUBS W/ BUBBLER IRRIGATION–LOW WATER USE

IRRIGATION NOTES:

1. The irrigation shall be designed to separately circuit the different zones high, medium, and low water needs.
2. The irrigation system shall have a rainfall sensing device to avoid operation of the system during periods of increased rainfall.
3. The heads used shall be matched precipitation sprinklers.

Typical Street Fronting Hydrozone Plan

SCALE: 1/8"=1'-0"
0 4 8 16 24
February 25, 2011

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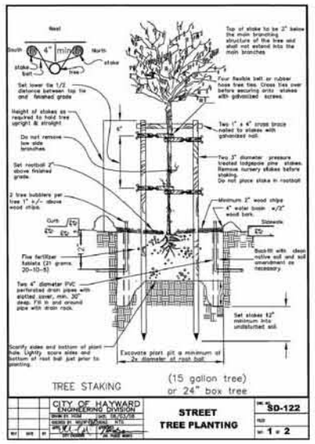
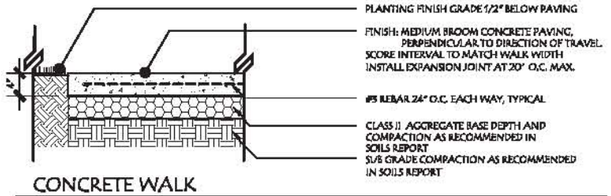


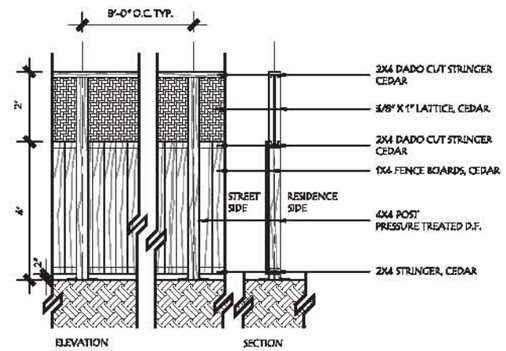
TREE STAKING DETAIL- PUBLIC STREETS (15 GAL./24" BOX)

N.T.S.



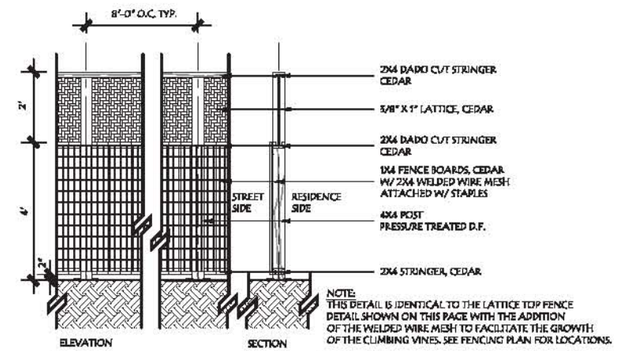
CONCRETE WALK

SCALE: 1"=1'-0"



LATTICE TOP FENCE

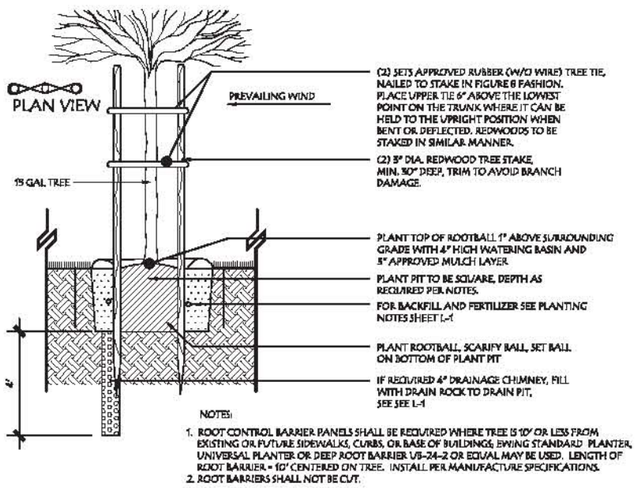
SCALE: 1/2"=1'-0"



NOTE:
THIS DETAIL IS IDENTICAL TO THE LATTICE TOP FENCE DETAIL SHOWN ON THIS PAGE WITH THE ADDITION OF THE WELDED WIRE MESH TO FACILITATE THE GROWTH OF THE CLIMBING VINES. SEE FENCING PLAN FOR LOCATIONS.

LATTICE TOP FENCE W/ WIRE MESH (FOR CLIMBING VINES)

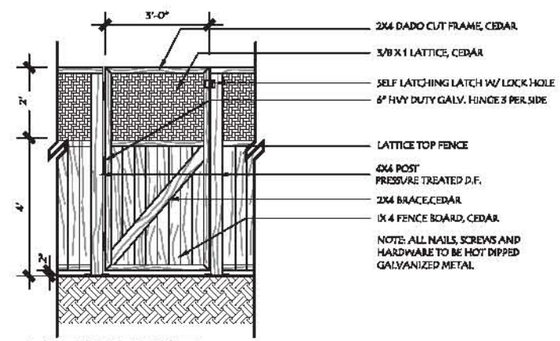
SCALE: 1/2"=1'-0"



NOTES:
1. ROOT CONTROL BARRIER PANELS SHALL BE REQUIRED WHERE TREE IS 10' OR LESS FROM EXISTING OR FUTURE SIDEWALKS, CURBS, OR BASE OF BUILDING; EWING STANDARD PLANTER, UNIVERSAL PLANTER OR DEEP ROOT BARRIER UB-24-2 OR EQUAL MAY BE USED. LENGTH OF ROOT BARRIER = 10' CENTERED ON TREE. INSTALL PER MANUFACTURE SPECIFICATIONS.
2. ROOT BARRIERS SHALL NOT BE CUT.

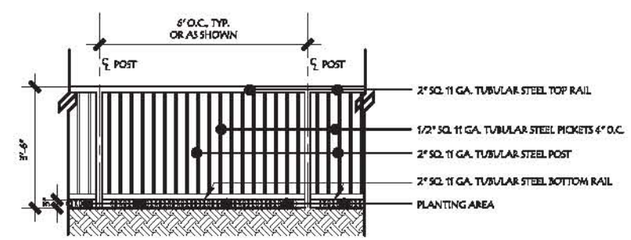
TREE STAKING DETAIL-PRIVATE STREETS

N.T.S



LATTICE TOP GATE

SCALE: 1/2"=1'-0"



METAL PICKET FENCE (AT BIO-RETENTION BASIN)

SCALE: 1/2" = 1'-0"

Illustrative Details

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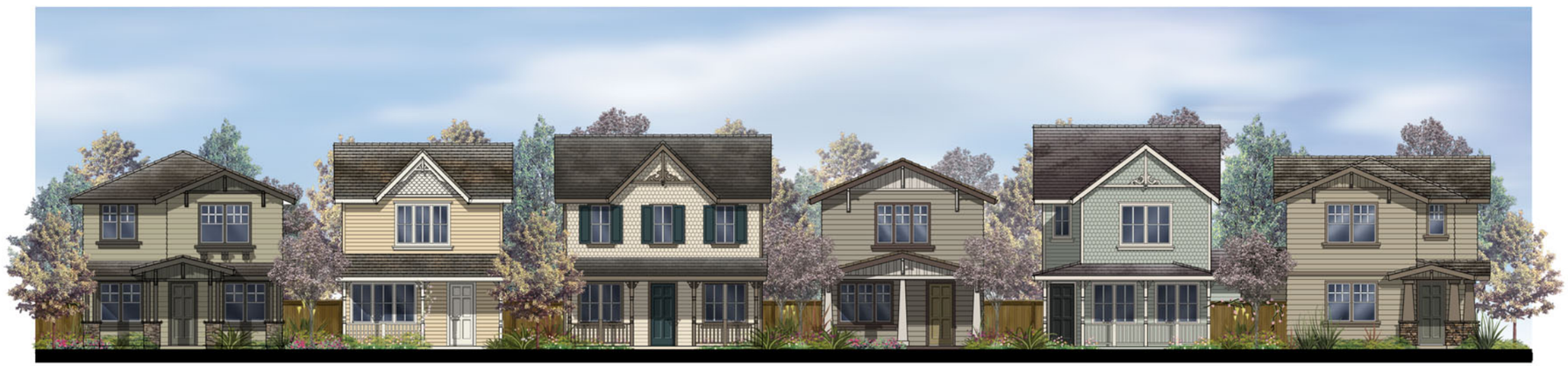


2A 1B 2B 1A 3.1B 3.2A

Streetscene

0 8
4 16

A0.0
Sheet 19 of 38

Urban Dynamic

Residual Hayward School Site

Hayward, California

KTGY Job# 2010-0387
February 25, 2011

Architecture + Planning
283 4th Street Third Floor
Oakland, California 94607
ktgy.com
510.272.2910 Main
510.272.2911 Fax

Craftsman Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ Mitered Corners
Trims:	1X4 Wood Trim
Accents:	Cementitious Vert. Siding & Trim Gable Treatment Outlookers / Kickers Tapered Columns

1A Craftsman Front Elevation

Victorian Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ 1X4 Corner Boards
Trims:	1X4 Wood Trim
Accents:	Cementitious Scale Siding & Trim Gable Treatment Turned Posts w/ Decorative Brackets

1B Victorian Front Elevation

Plan 1 Front Elevations

0 4 2 8

A1.1

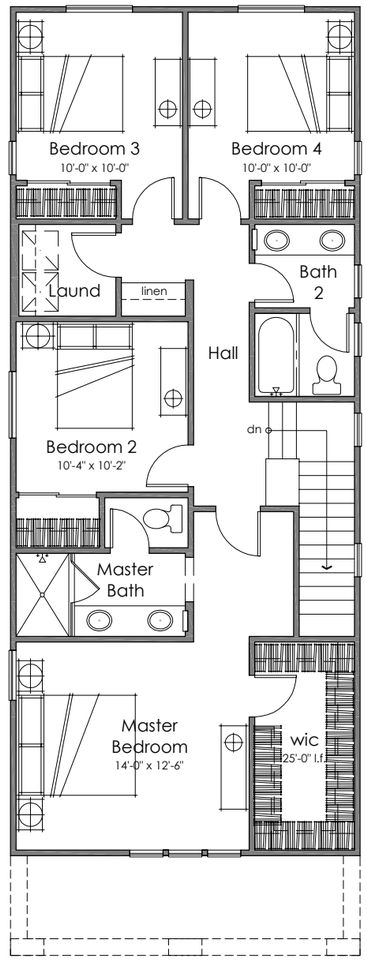
Urban Dynamic

Residual Hayward School Site

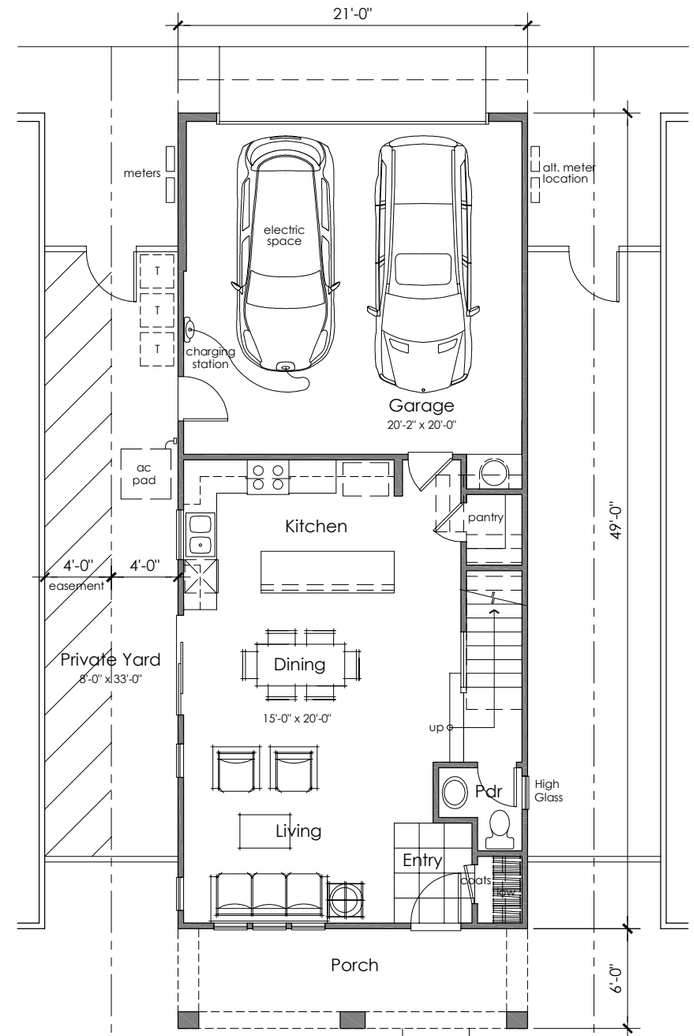
Hayward, California

Architecture + Planning
283 4th Street Third Floor
Oakland, California 94607
ktgy.com
510.272.2910 Main
510.272.2911 Fax

KTGY Job# 2010-0387
February 25, 2011



Second Floor
1013 sf



First Floor
590 sf

Plan 1 Floor Plan

0 2 4 8

Floor Plan
4 Bedrooms
2.5 Baths
1603 sf

A1.2
Sheet 21 of 38

Urban Dynamic

Residual Hayward School Site

Hayward, California

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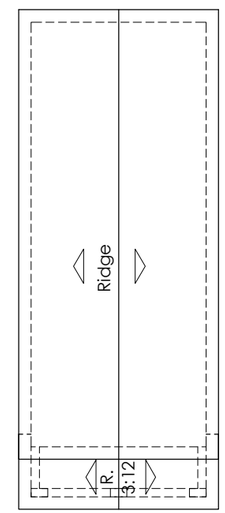
Left Elevation



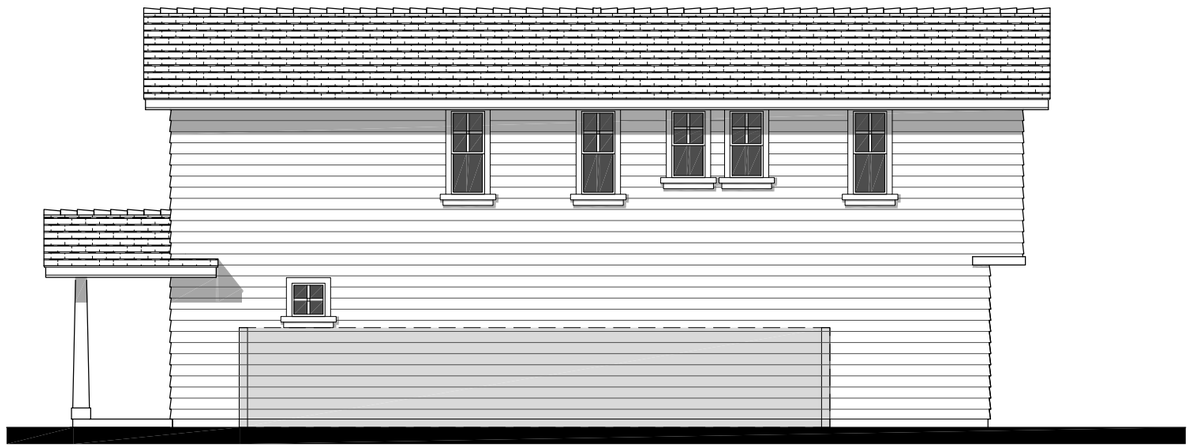
Roof Plan

0 8
4 16

5:12 Pitch

Craftsman Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ Mitered Corners
Trims:	1X4 Wood Trim
Accents:	Cementitious Vert. Siding & Trim Gable Treatment Outlookers / Kickers Tapered Columns



Right Elevation

Rear Elevation

Plan 1A Exterior Elevations

0 4
2 8

A1.3
Sheet 22 of 38

Urban Dynamic

Residual Hayward School Site

Hayward , California

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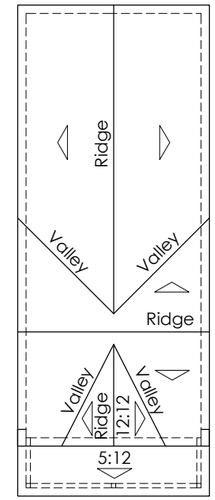
Left Elevation



Roof Plan

0 8
4 16

6:12 Pitch

Victorian Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ 1X4 Corner Boards
Trims:	1X4 Wood Trim
Accents:	Cementitious Scale Siding & Trim Gable Treatment Turned Posts w/ Decorative Brackets

Right Elevation

Rear Elevation

Plan 1B Exterior Elevations

0 4
2 8

A1.4
Sheet 23 of 38

Urban Dynamic

Residual Hayward School Site

Hayward, California

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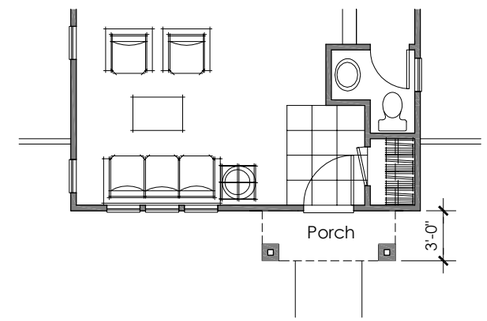
1A Alt. Craftsman Front Elevation

1B Alt. Victorian Front Elevation



Alt. Porch
(Lots 32, 33, 34, 35, 41, 42, 45, 46)

Plan 1 Alternate Front Elevations

0 4
2 8

A1.5
Sheet 24 of 38

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Residual Hayward School Site

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Craftsman Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ Mitered Corners
Trims:	1X4 Wood Trim
Accents:	Cementitious Vert. Siding & Trim Gable Treatment Outlookers / Kickers Stone Veneer

2A Craftsman Front Elevation

Victorian Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ 1X4 Corner Boards
Trims:	1X4 Wood Trim
Accents:	Cementitious Scale Siding & Trim Gable Treatment Turned Posts w/ Decorative Brackets Decorative Shutters

2B Victorian Front Elevation

Plan 2 Front Elevations

0 4
2 8

A2.1
Sheet 25 of 38

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Residual Hayward School Site

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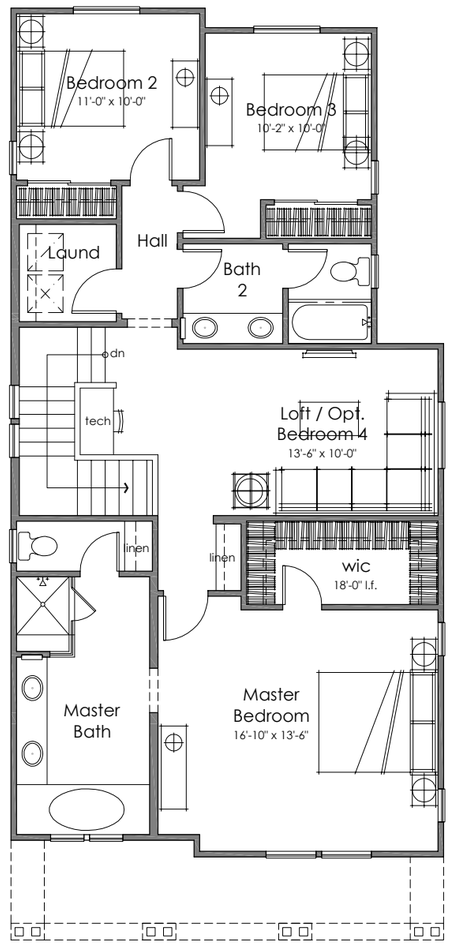
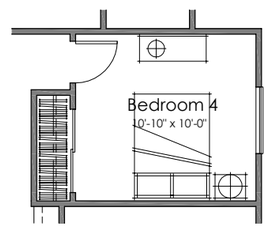
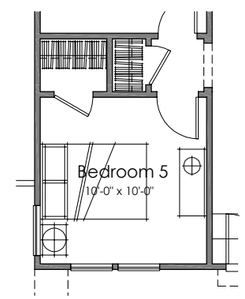


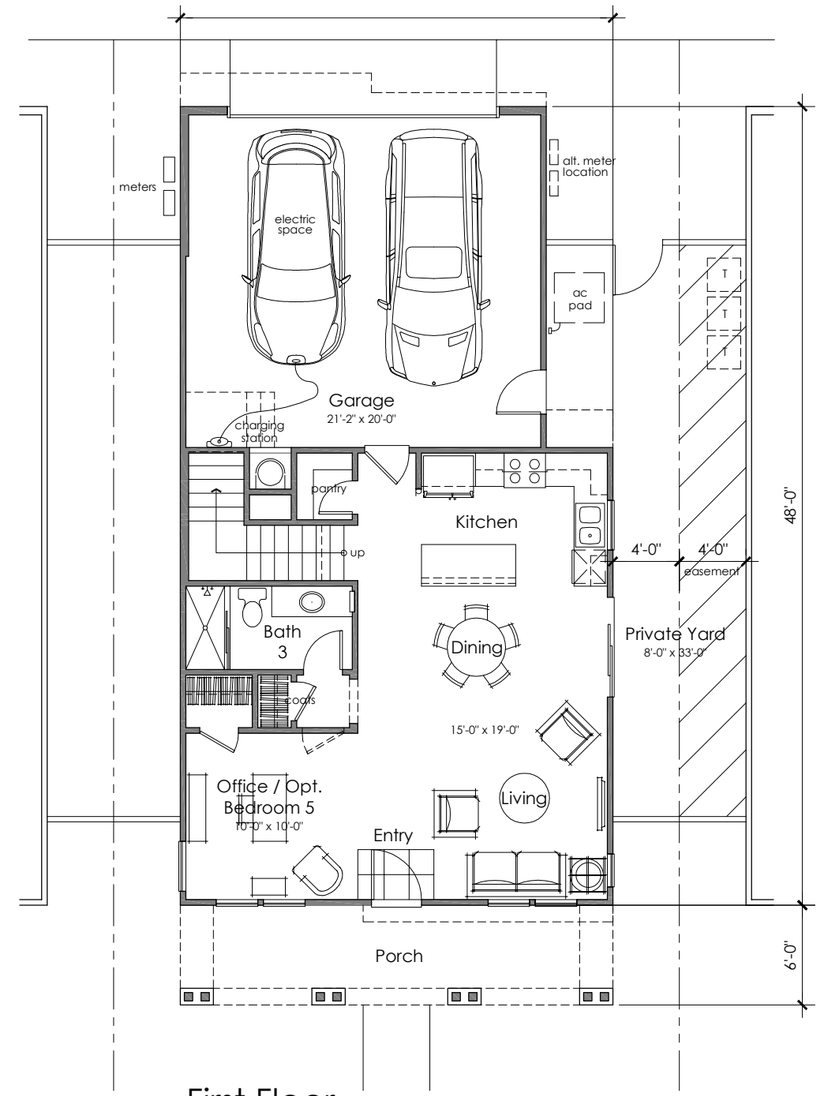
Second Floor
1142 sf



Opt. Bed 4



Opt. Bed 5



First Floor
704 sf

Floor Plan
3 Bedrooms + Loft + Office
Opt. Bedroom 4
Opt. Bedroom 5
3 Baths
1846 sf

Plan 2 Floor Plan

0 2 4 8

A2.2
Sheet 26 of 38

Urban Dynamic

Residual Hayward School Site

Hayward , California

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February 25, 2011

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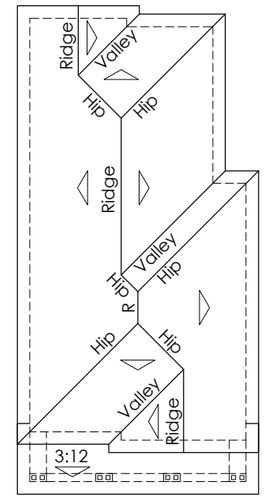
Left Elevation



Roof Plan

0 8
4 16

5:12 Pitch

Craftsman Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ Mitered Corners
Trims:	1X4 Wood Trim
Accents:	Cementitious Vert. Siding & Trim Gable Treatment Outlookers / Kickers Stone Veneer

Right Elevation

Rear Elevation

Plan 2A Exterior Elevations

0 4
2 8

A2.3
Sheet 27 of 38

Urban Dynamic

Residual Hayward School Site

Hayward , California

KTGY Job# 2010-0387
February 25, 2011

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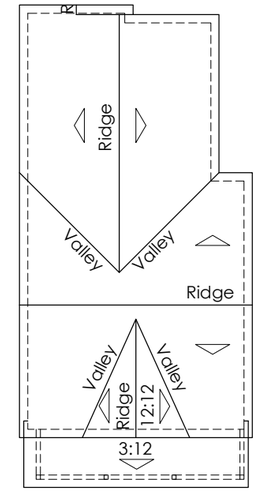
Left Elevation



Roof Plan

0 8
4 16

6:12 Pitch

Victorian Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ 1X4 Corner Boards
Trims:	1X4 Wood Trim
Accents:	Cementitious Scale Siding & Trim Gable Treatment Turned Posts w/ Decorative Brackets Decorative Shutters

Right Elevation

Rear Elevation

Plan 2B Exterior Elevations

0 4
2 8

A2.4

Sheet 28 of 38

Urban Dynamic

Residual Hayward School Site

Hayward , California

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February 25, 2011

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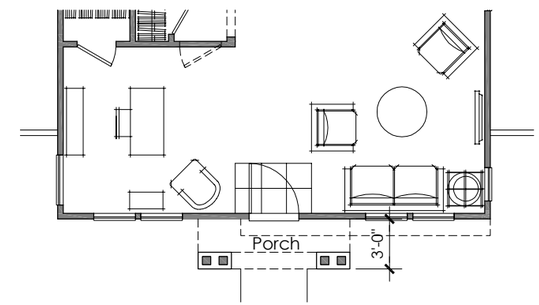
2A Craftsman Enhanced Left Side Elevation

2A Alt. Craftsman Front Elevation



2Alt. Porch
(Lots 31, 36, 43, 44)

2B Victorian Enhanced Left Side Elevation

2B Alt. Victorian Front Elevation

Plan 2 Alternate/Enhanced Elevations

0 4
2 8

A2.5
Sheet 29 of 38

Urban Dynamic

Residual Hayward School Site

Hayward, California

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February 25, 2011

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Craftsman Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ Mitered Corners
Trims:	1X4 Wood Trim
Accents:	Cementitious Vert. Siding & Trim Gable Treatment Outlookers / Kickers Tapered Columns Stone Veneer

3.1A Craftsman Front Elevation

Victorian Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ 1X4 Corner Boards
Trims:	1X4 Wood Trim
Accents:	Cementitious Scale Siding & Trim Gable Treatment Turned Posts w/ Decorative Brackets

3.1B Victorian Front Elevation

Plan 3.1 Front Elevations

0 2 4 8

A3.1

Sheet 30 of 38

Urban Dynamic

Residual Hayward School Site

Hayward, California

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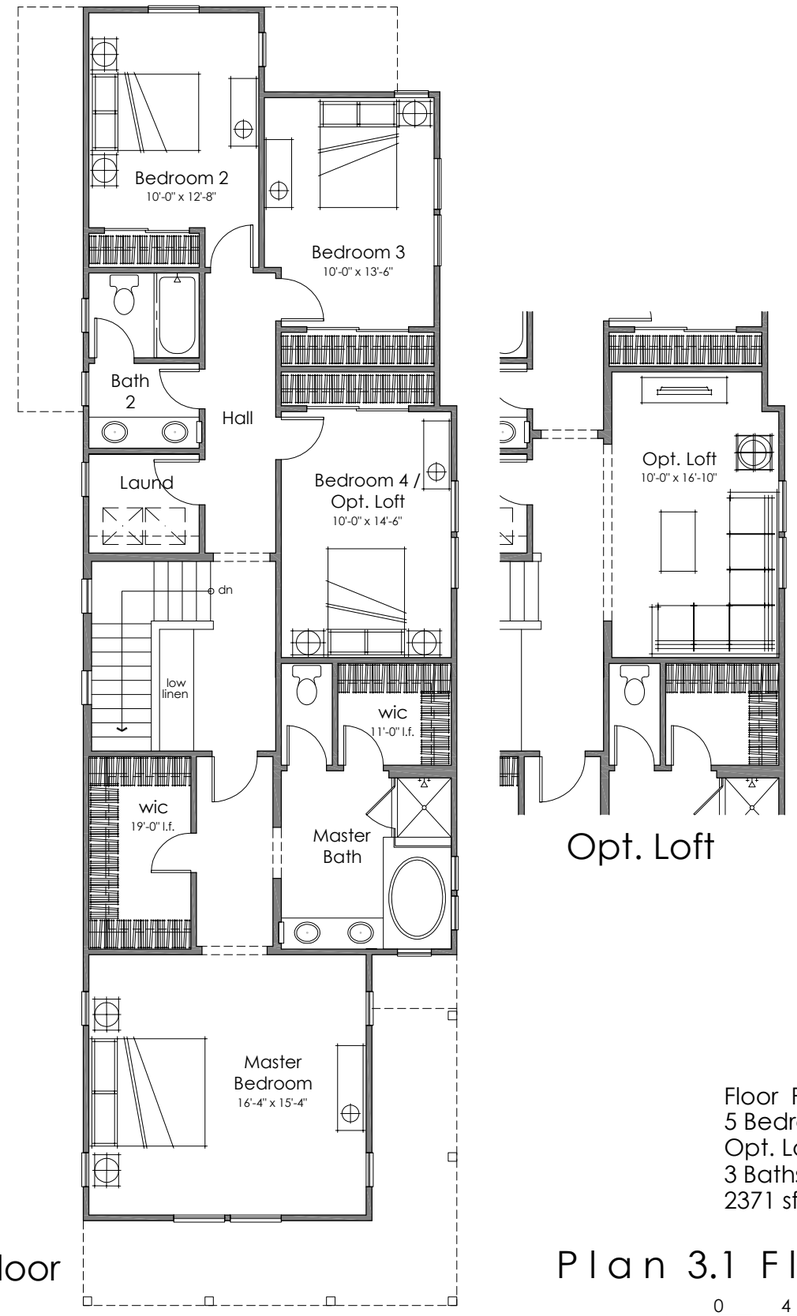
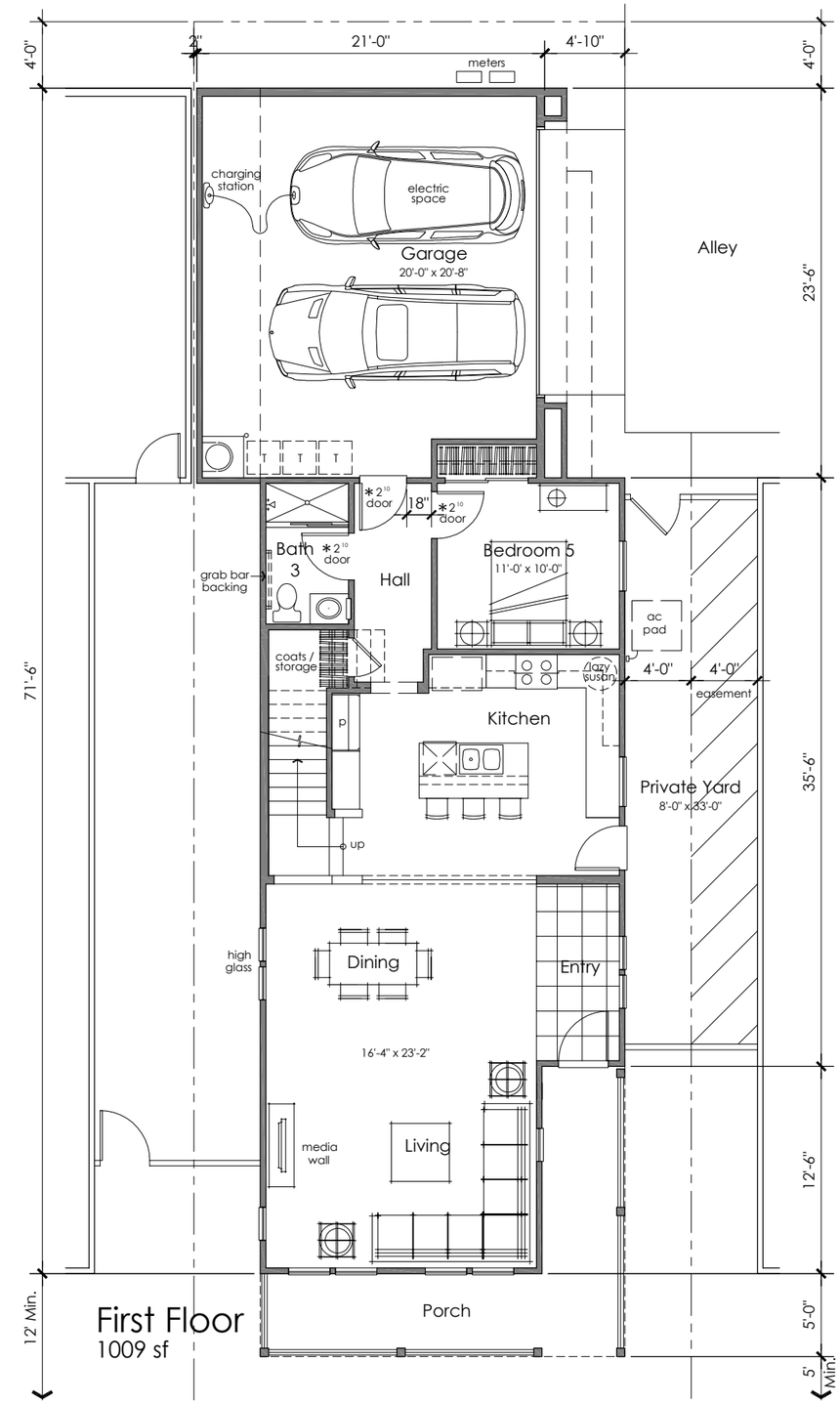


Second Floor
1362 sf

Opt. Loft

Floor Plan
5 Bedrooms
Opt. Loft
3 Baths
2371 sf



First Floor
1009 sf

*Integrate Universal Design Features within the home.

Plan 3.1 Floor Plan

0 4
2 8

A3.2
Sheet 31 of 38

Urban Dynamic

Residual Hayward School Site

Hayward , California

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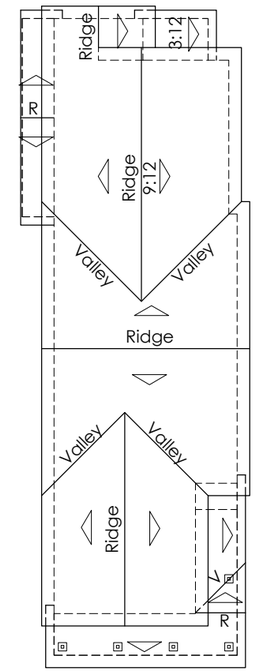
February 25, 2011

Left Elevation



Roof Plan

0 4 8 16

6.5:12 Pitch

Craftsman Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ Mitered Corners
Trims:	1X4 Wood Trim
Accents:	Cementitious Vert. Siding & Trim Gable Treatment Outlookers / Kickers Tapered Columns Stone Veneer

Right Elevation

Rear Elevation

Plan 3.1A Exterior Elevations

0 2 4 8

A3.3

Sheet 32 of 38

Urban Dynamic

Residual Hayward School Site

Hayward , California

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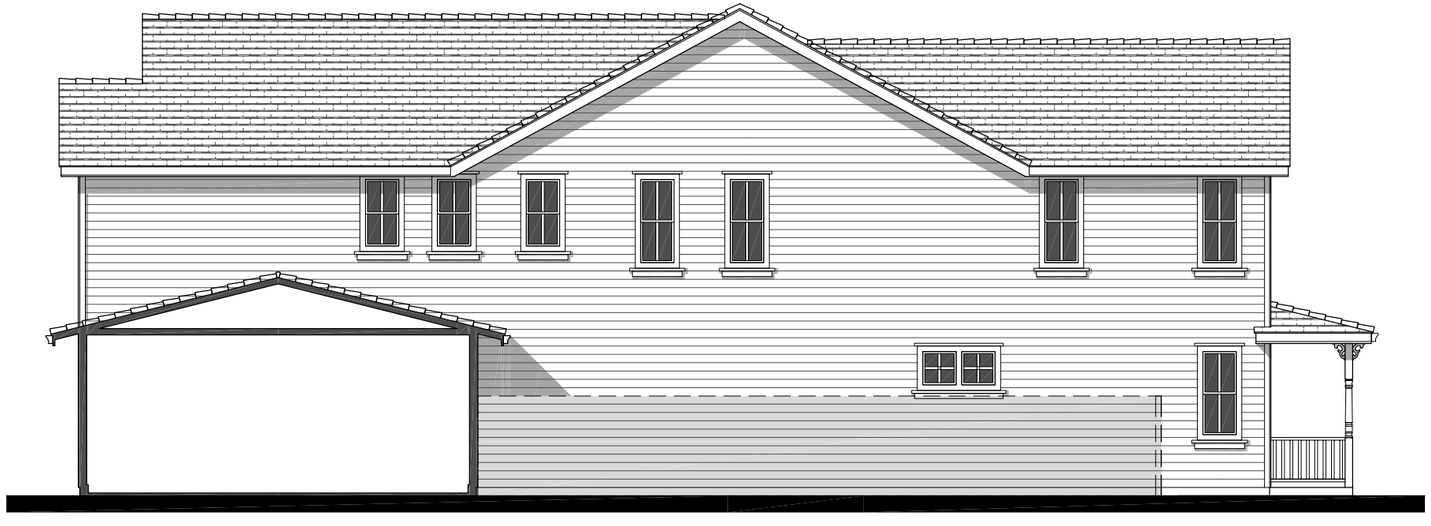
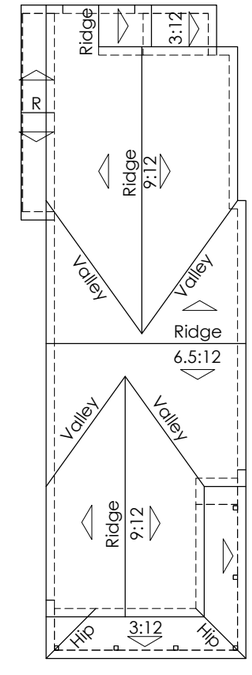


Left Elevation



Roof Plan

0 4 8 16

6.5:12 Pitch

Victorian Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ 1X4 Corner Boards
Trims:	1X4 Wood Trim
Accents:	Cementitious Scale Siding & Trim Gable Treatment Turned Posts w/ Decorative Brackets

Right Elevation

Rear Elevation

Plan 3.1B Exterior Elevations

0 2 4 8

A3.4

Sheet 33 of 38

Urban Dynamic

Residual Hayward School Site

Hayward , California

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February 25, 2011

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3.2A Craftsman Side Elevation

3.2A Craftsman Front Elevation

3.2B Victorian Side Elevation

3.2B Victorian Front Elevation

Plan 3.2 Front Elevations

0 4
2 8

A3.5
Sheet 34 of 38

Urban Dynamic

Residual Hayward School Site

Hayward, California

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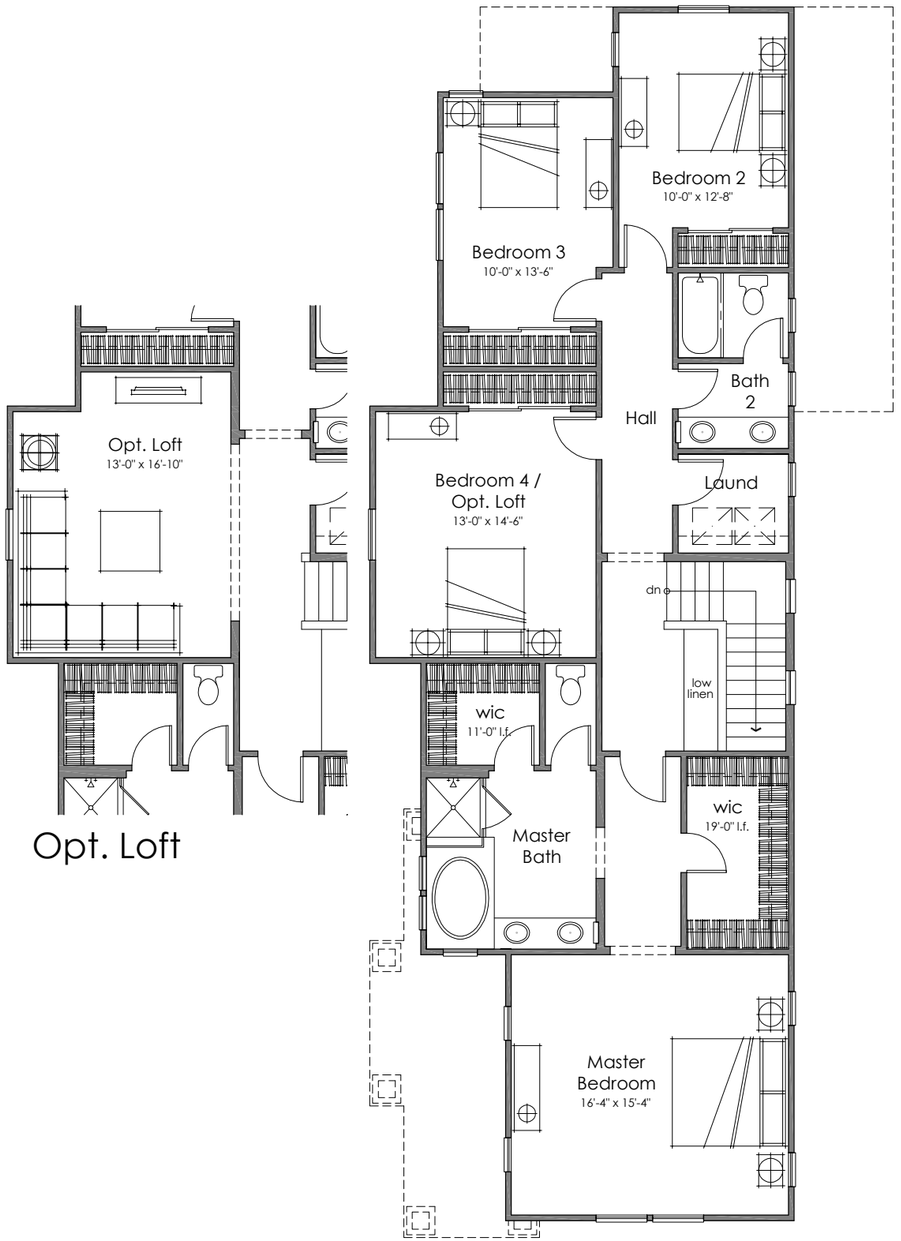
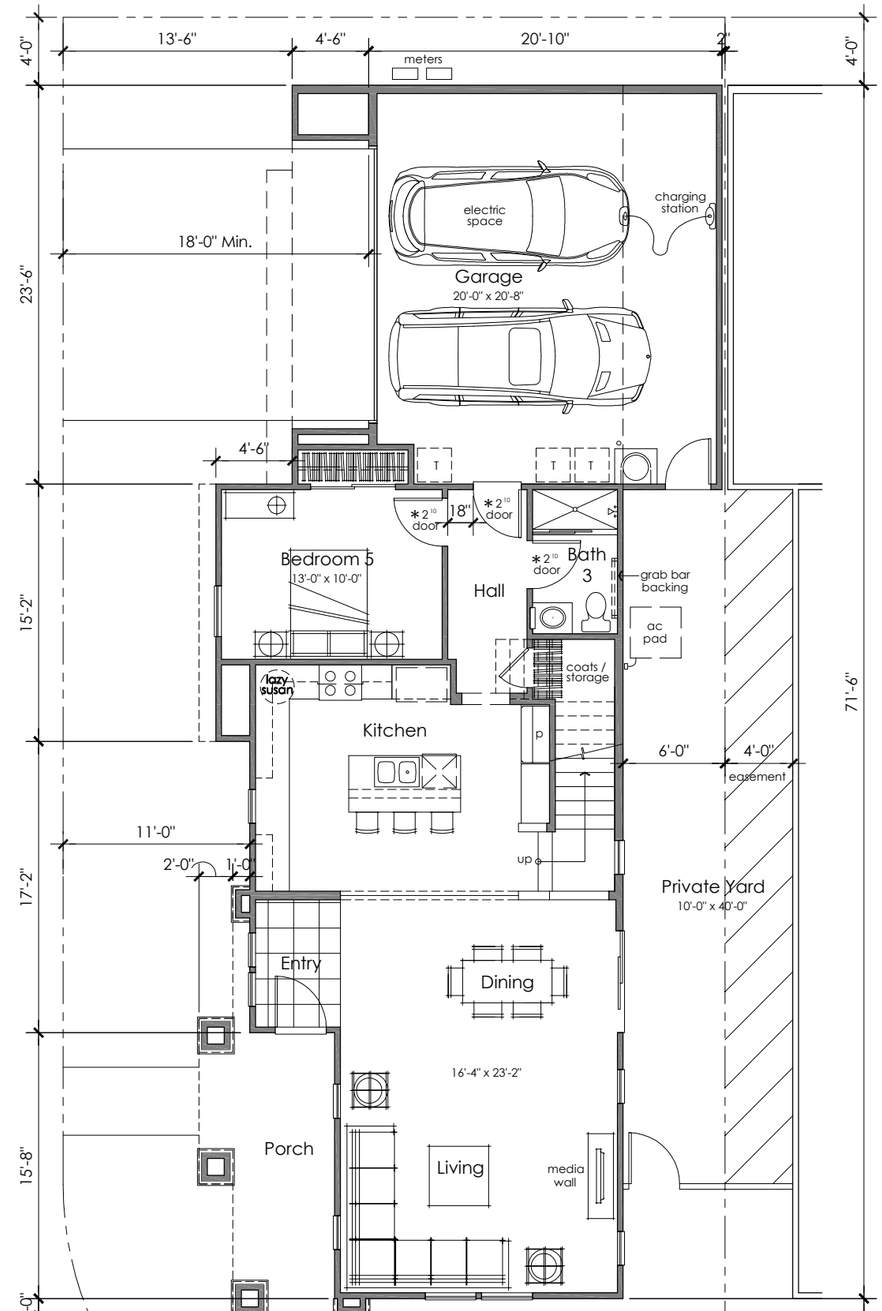


Second Floor
1408 sf



*Integrate Universal Design Features within the home.

First Floor
1015 sf

Floor Plan
5 Bedrooms
Opt. Loft
3 Baths
2423 sf

Plan 3.2 Floor Plan

0 4
2 8

A3.6
Sheet 35 of 38

Urban Dynamic

Residual Hayward School Site

Hayward, California

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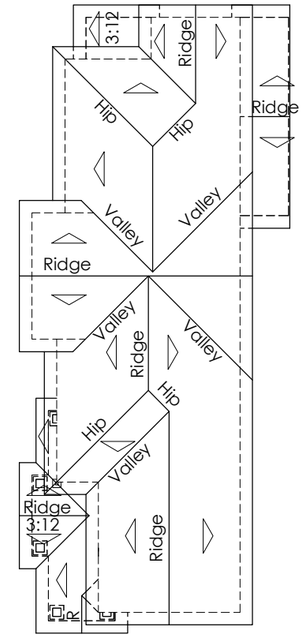
Left Elevation



Roof Plan

0 8
4 16

5:12 Pitch

Craftsman Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ Mitered Corners
Trims:	1X4 Wood Trim
Accents:	Cementitious Vert. Siding & Trim Gable Treatment Outlookers / Kickers Tapered Columns

Right Elevation

Rear Elevation

Plan 3.2A Exterior Elevations

0 4
2 8

A3.7

Sheet 36 of 38

Urban Dynamic

Residual Hayward School Site

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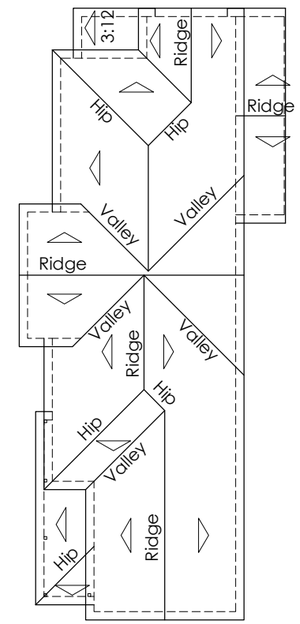
Left Elevation



Roof Plan

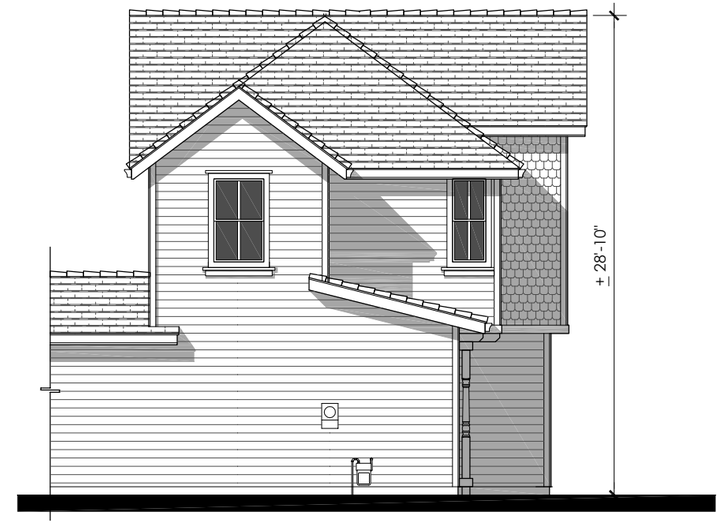
0 8
4 16

9:12 Pitch

Victorian Material List:

Roof:	Architectural Grade Composition Shingles
Walls:	Cementitious Horiz. Siding w/ 1X4 Corner Boards
Trims:	1X4 Wood Trim
Accents:	Cementitious Scale Siding & Trim Gable Treatment Turned Posts w/ Decorative Brackets

Right Elevation



Rear Elevation

Plan 3.2B Exterior Elevations

0 4
2 8

A3.8

Sheet 37 of 38

Urban Dynamic

Residual Hayward School Site

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3.2Alt.A Craftsman Side Elevation

3.2Alt.A Craftsman Front Elevation

3.2Alt.B Victorian Side Elevation

3.2Alt.B Victorian Front Elevation

Plan 3.2Alt. Front Elevations

0 4
2 8

A3.9
Sheet 38 of 38

Urban Dynamic

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KTGY Job# 2010-0387
February 25, 2011

CITY OF
HAYWARD
HEART OF THE BAY

____14___

DATE: June 28, 2011

TO: Mayor and City Council

FROM: Assistant City Manager/Interim Redevelopment Agency Director

SUBJECT: Agreement for the Purchase and Sale of Real Property between the City of Hayward and Urban Dynamic, LLC for the Construction and Sale of Fifty-Seven Detached Single Family Homes – the Property is Located at 353 B Street

RECOMMENDATION

That the City Council approves the sale of certain real property located at 353 B Street for the potential development of fifty-seven detached single-family homes by Urban Dynamic, LLC, and adopts the attached resolution (Attachment I) authorizing the City Manager to negotiate and execute the Agreement for Purchase and Sale of Real Property evidencing such transaction.

BACKGROUND

The Redevelopment Agency acquired the Burbank Residual School site from the Hayward Unified School District (HUSD) in July 2008. The subject property was the former location of the Burbank Elementary School; under the Cannery Area Design Plan, the school site was relocated to the west and a new school was constructed. In August 2005, to assure that the facilities at the new Burbank Elementary School would be available for community use, the Hayward Area Recreation and Park District (HARD) and the Hayward Unified School District (HUSD) amended the "Master Facilities Use Agreement" to assure that the facilities at the new Burbank Elementary School would be available to be used for HARD activities when not in use for school or school-related activities.

The site was conveyed to the Agency pursuant to the Public Facilities Development Agreement between the Agency, the City, HUSD, and the Hayward Area Recreation District (HARD), as partial payment to the Agency for funding the construction of the new Burbank Elementary School. The site is approximately 3.84 acres and it is an entire city block bounded by B and C Streets to the north and south, respectively, and Myrtle and Filbert Streets to the east and west, respectively (see Attachment II).

The Agency originally had a preliminary offer of $6.0 million from Citation Homes on the property at the height of the market. After that deal fell through and an Exclusive Negotiating Agreement (ENA) with Citation Homes Central was terminated in May 2009, the Agency received an unsolicited proposal from Urban Dynamic, LLC, to purchase the site for $4.0 million dollars. In June 29, 2010, the Redevelopment Agency Board authorized the Executive Director to enter into an

Exclusive Negotiating Agreement (ENA) with Urban Dynamic, LLC for a ninety-day period to prepare initial development plans, have the site appraised, determine its market value, and potentially negotiate the basic terms of a Disposition and Development Agreement (DDA). Upon execution of the ENA, Urban Dynamic, LLC, paid the Agency a $5,000 non-refundable deposit for Agency incurred expenses. The Deposit shall be credited to the Purchase Price at close of escrow.

On January 18, 2011, the Agency Board authorized the Executer Director to grant a ninety-day extension to the Exclusive Negotiating Agreement with Urban Dynamic, LLC, at which time the developer increased their deposit by $45,000. If the Agreement for Purchase and Sale of Real Property is terminated prior to close of escrow, any unexpended portion of the Deposit will be returned to Urban Dynamic if the Agreement is terminated due to a default by the City. However, if Urban Dynamic defaults on the Agreement, the City shall retain the deposit.

In March 2011, in response to the Governor's proposal to eliminate redevelopment agencies throughout the State, the Redevelopment Agency transferred the property to the City and assigned the Exclusive Negotiating Agreement to the City as well.

DISCUSSION

In accordance with the terms of the Exclusive Negotiating Agreement, Urban Dynamic, LLC, submitted an application to the Planning Division for the Rezoning and Tentative Tract Map for the proposed fifty-seven single family homes at the Residual Burbank School Site on October 22, 2010 (see Attachment II). The Planning Commission approved the Rezoning and Tentative Tract Map for the project on May 22, 2011. The architectural design is reflective of the neighborhood character, including along B Street. In addition, the project proposes substantial green features including, but not limited to: (1) a standard solar package on all units with opportunities for upgrades; (2) a charging station within each garage for electric vehicles; and (3) the development is seeking a LEED Neighborhood Design designation for the project.

As part of the negotiations with Urban Dynamic, LLC to sell/purchase the site, the following are the key deal points:

- Soil Clean-up & Removal Action Work Plan: On May 10, 2011, TRC Solutions, Inc. (TRC) presented the results of their soils investigation study to the City. The study identified four locations that contain arsenic, lead and/or mercury levels exceeding approved levels for residential communities. The proposed remediation efforts will include soil removal in the four locations. The size of each location is approximately 50 feet by 50 feet by .5 feet to 1 foot deep. Upon completion of the soil removal, TRC will prepare a Removal Action Completion (RAC) Report for submission to the Department of Toxic Substance Control (DTSC) for regulatory approval. TRC will work with the City to obtain a "No Further Action" (NFA) certification letter from DTSC.

  The contract amount for remediation of the site and obtaining clearance from DTSC is $62,000. Urban Dynamic, LLC will reimburse the City for the cost of the remediation work and the additional preliminary soils investigative work, which cost $24,800.

- Development Fees and Charges: To ensure that future increases in fees and charges do not impact the overall feasibly of the project, Urban Dynamic, LLC, has requested that current rates for "Development Fees and Charges" be fixed at current rates and will be due at the close of escrow for the sale of each unit as follows: - "Building Construction & Improvement Tax" at $750 per unit; "Supplemental Building Construction & Improvement Tax" at $1,200 per unit; "Park-Dedication-in-lieu Fees" at $11,953 per unit; "Inclusionary Housing In-Lieu Fees" at $80,000 per inclusionary unit; and "Sewer and Water Connection Fees" While staff does not anticipate.significant increases in any of these fees or charges, given the unstable housing market, staff agreed that this was a reasonable request.

- Prevailing Wages: Urban Dynamic, LLC shall be required to pay all contractors and subcontractors performing improvements on the Site prevailing wages for each craft and classification as determined by the Director of the Department of Industrial Relations.

- Inclusionary Housing Ordinance: In January 2011, the City Council adopted an Ordinance providing interim relief from the Inclusionary Housing Ordinance effective until December 31, 2012. The Relief Ordinance allows a developer to pay an inclusionary housing in-lieu fee "by right" rather than providing the units on-site. In this particular case, the applicant has indicated they will pay the in-lieu fee as allowed for in the Relief Ordinance. The in-lieu fee cost is $80,000 per affordable unit.

- Green Features: As noted above, Urban Dynamic, LLC has designed the project to include solar panels and other "green features" with the potential for buyers to purchase upgraded green amenities.

- Underground Service: all service to dwellings shall be "underground service" designed and installed in accordance with Pacific Gas and Electric Company, AT&T (phone) Company, local cable company, and City regulations. All facilities necessary to provide service to the dwelling, including transformers and switchgear, shall also be undergrounded, as approved by the Planning Commission as a condition of project approval.

FISCAL AND ECONOMIC IMPACT

Urban Dynamics has proposed to purchase the site for the amount of $4,000,000. While this is substantially below the first offered price by Citation two years ago ($6.0 million), it is definitely within market in the current economy. In addition, the green focus of the proposed development is an added benefit to the community.

Since this property is now under City ownership, the proceeds from the sale will go into the General Fund. Given the complexities and unknowns surrounding City-Agency transactions and the uncertain future of the Agency, staff recommends that these funds be held in a designated reserve once escrow has closed. As close of escrow approaches, staff will return to Council for a policy discussion on the use of these funds.

In addition to the sale proceeds, redevelopment of the site will generate an estimated $250,000 to $300,000 per year in tax increment. Additionally, construction jobs would be created as the housing units are developed.

PUBLIC CONTACT

June 29, 2010: Redevelopment Agency Board authorized an Exclusive Negotiating Agreement with Urban Dynamic, LLC for a Proposed Residential Development at the Residual Burbank School

November 18, 2010: Property owners within a 300-foot radius of the project site were notified of meeting to be held November 18; two residents attended this meeting and expressed their support for the proposed project.

January 18, 2011: Redevelopment Agency Board authorization to extend the Exclusive Negotiating Agreement with Urban Dynamic, LLC.

January 24, 2011, and April 25, 2011: Neighborhood Partnership Meetings were held at the Burbank Elementary School; Urban Dynamics, LLC shared the plans for the proposed site informally after the public meeting with interested members of the community.

May 26, 2011: Planning Commission Meeting to consider land use entitlements for the project; notice of the public hearing was sent to all property owners within a 300-foot radius as well an expanded notification list that included all property owners along B Street.

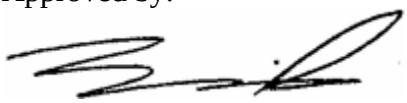
NEXT STEPS

Staff will continue to negotiate and execute the Agreement for Purchase and Sale of Real Property. Urban Dynamic will continue to work toward complying with the conditions of approval to allow approval of a precise development plan, approval of a final map and ultimately allow for construction of the project. Final Map approval is expected by November 30, 2011, at which time the close of escrow will occur completing the sale and transfer of the site. Phase I construction is scheduled to begin April 15, 2012 and project completion is scheduled for May 31, 2012.

Prepared by: Gloria Ortega, Project Manger

Recommended by: Kelly McAdoo Morariu, Assistant City Manager /Interim Redevelopment Agency Director

Approved by:



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Fran David, City Manager

Attachments:

Attachment I:	Resolution
Attachment II:	Site Map
Attachment III:	Street Scene

CITY COUNCIL OF THE CITY OF HAYWARD

RESOLUTION NO._____

RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF HAYWARD AND URBAN DYNAMIC, LLC, FOR THE PURCHASE AND SALE OF REAL PROPERTY LOCATED AT 353 B STREET (THE "RESIDUAL BURBANK SCHOOL SITE") FOR THE CONSTRUCTION AND SALE OF FIFTY-SEVEN DETACHED SINGLE FAMILY HOMES

WHEREAS, the City owns certain real property located at 353 "B" Street (the "Residual Burbank School site") in the City of Hayward, County of Alameda, State of California; and

WHEREAS, on June 29, 2010, the Agency Board of the Redevelopment Agency of the City of Hayward authorized the Executive Director to enter into an Exclusive Negotiating Agreement (ENA) with Urban Dynamic, LLC (the "Developer") for a ninety-day period to negotiate the basic terms of a Disposition and Development Agreement for the Residual Burbank School site; and

WHEREAS, on January 18, 2011, the Agency Board authorized the Executive Director to execute a ninety-day extension to the ENA with the Developer for disposition of the Residual Burbank School site; and

WHEREAS, subsequent to the execution of the ninety-day extension of the ENA, the Redevelopment Agency transferred the Residual Burbank School site to the City; and

WHEREAS, the Developer proposes to develop the property with fifty-seven market-rate detached single-family homes (the "Project") and has applied for the requisite land use entitlements to proceed with the Project; and

WHEREAS, the City desires to enter into a purchase and sale agreement (the "Agreement") with the Developer, pursuant to which the City would sell the Residual Burbank School site to the Developer for Four Million Dollars ($4,000,000.00) and the Developer would develop the Project on the site; and

WHEREAS, the Planning Commission, at a duly noticed meeting held on May 26, 2011, recommended that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve the Project; and

WHEREAS, pursuant to Government Code section 37350, the City has the authority to dispose of its property for the common benefit and the common benefit is served by the sale of the Residual Burbank School site, for the reasons set forth in Resolution No. 11-____ approving the zone change and vesting tentative map for the Project; and

WHEREAS, the City Council, at a duly noticed hearing held on June 28, 2011, adopted the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program and approved the Project.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby relies on the previously adopted Mitigated Negative Declaration for the Project and authorizes the City Manager to negotiate and execute a purchase and sale agreement, and such other documents as may be reasonably necessary to consummate this transaction, with Urban Dynamic, LLC, for the disposition and development of the Residual Burbank School site, in the amount of $4,000,000.00 and subject to the terms described in the accompanying staff report, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA June 28, 2011

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

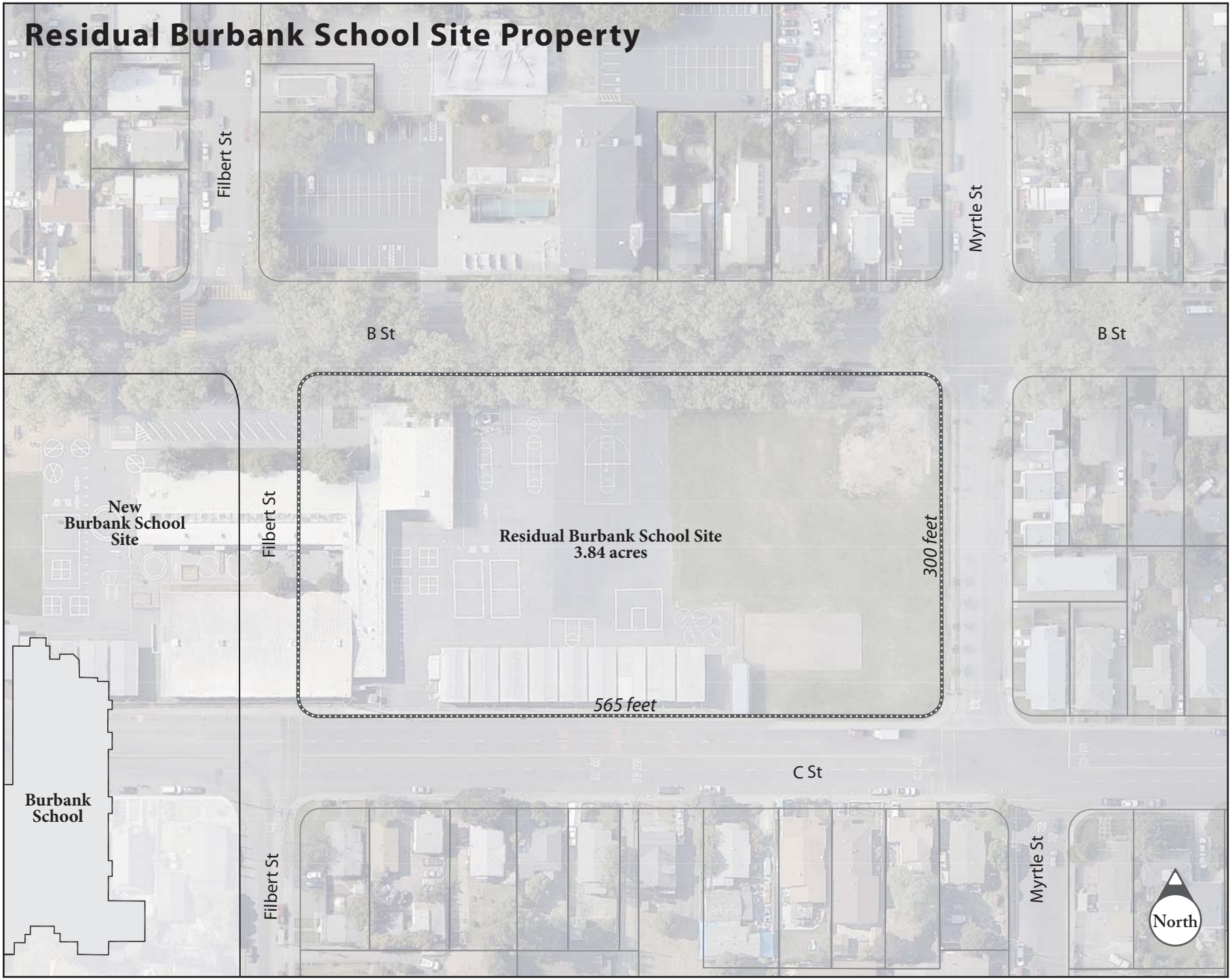
ATTEST: _____

City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____

City Attorney of the City of Hayward


Residual Burbank School Site Property
Filbert St
Myrtle St
B St
B St
New
Burbank School
Site
Filbert St
Residual Burbank School Site
3.84 acres
300 feet
565 feet
C St
Burbank
School
Filbert St
Myrtle St
North

Attachment III: Street Scene