



CITY OF
HAYWARD
HEART OF THE BAY

CITY COUNCIL AGENDA
JUNE 12, 2012

MAYOR MICHAEL SWEENEY
MAYOR PRO TEMPORE BARBARA HALLIDAY
COUNCIL MEMBER OLDEN HENSON
COUNCIL MEMBER MARVIN PEIXOTO
COUNCIL MEMBER BILL QUIRK
COUNCIL MEMBER MARK SALINAS
COUNCIL MEMBER FRANCISCO ZERMEÑO

Table of Contents

Agenda	4
FY 2013 & FY 2014 Recommended Biennial Budget Work Session #4 (Report from Finance Director Vesely)	
Staff Report	9
FY 2013 Community Agency Funding Recommendations for All Funds and Funding Categories, Including: Community Promotions; Neighborhoods, Arts & Events; Social Services; Community Development Block Grant (CDBG); and Measure B - Paratransit (Report from Library and Community Services Director Reinhart)	
Staff Report	10
Attachment I FY 2013 Community Agency Funding Summary - All Funds	23
Attachment II - FY 2013 Community Promotions / NAE Funding Recommendations.	25
Approval of Minutes of the City Council Meeting on May 22, 2012	
Draft Minutes	26
Resignation of Gurjit Kaur from the Personnel Commission	
Staff Report	38
Attachment I.	39
Attachment II	40
Downtown Business Improvement Area Annual Report and Proposed Budget for FY 2013	
Staff Report	41
Attachment I.	45
Attachment II	52
Attachment III.	54
Approval of Loan of HOME Funds to Eden Housing Inc. for Rehabilitation of Leidig Court Apartments and Redocumentation of CDBG Investment	
Staff Report	58
Attachment I Resolution.	63
Attachment II Location Map.	66
Attachment III Previous CDBG Investment in the Property.	67
Pavement Reconstruction FY12 - Taxiway Delta at Hayward Executive Airport: Award of Contract	
Staff Report	68
Attachment I.	71
Attachment II	73
Attachment III.	74
Sidewalk Rehabilitation and Wheelchair Ramps FY12 - Districts 6 & 9: Award of Contract	
Staff Report	78
Attachment I.	81

Attachment II	83
Attachment III	87
Signal Timing and Controller Replacement Program on Clawiter Corridor: Approval of Contracts for Purchase of Traffic Control Equipment	
Staff Report	90
Attachment I	93
Attachment II	94
Report and Special Assessment for Residential Rental Inspection Fees Past Due	
Staff Report	95
Attachment I Resolution.	98
Attachment II Special Assessment List 2012	100
Report and Assessment for Community Preservation Fees Past Due	
Staff Report	119
Attachment I Resolution.	122
Attachment II 2012 Community Preservation Lien List	124
Attachment III 2012 Weed Lien List.	137
Special Assessment Hearing and Report for Vehicle Abatement Fees Past Due	
Staff Report	144
Attachment I Resolution.	147
Attachment II Vehicle Lien List	149
Adoption of a Resolution to Approve an Amendment to the Hayward Police Management Unit Memorandum of Understanding	
Staff Report	152
Attachment I	155
Attachment II	157
Adoption of a Resolution Authorizing Amendment of the Salary and Benefits Resolution for the Unrepresented Management, Human Resources and City Attorney Employees	
Staff Report	165
Attachment I	167
Maintenance District No. 1 – Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane - Approve the Engineer's Report, Confirm the Assessment Diagram and Assessment, and Order the Levy and Collection of Assessments for Fiscal Year 2013 (Report from Development Services Director Rizk)	
Staff Report	169
Attachment I Draft Resolution.	173
Attachment II Engineer Report	177
Maintenance District No. 2 – Eden Shores Storm Water Facilities and Water Buffer - Approve the Engineer's Report, Confirm the Assessment Diagram and Assessment, and Order the Levy and Collection of Assessments for Fiscal Year 2013 (Report from Development Services Director Rizk)	

Staff Report	197
Attachment I Draft Resolution.	200
Attachment II Engineer Report	204
Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13 – Approving the Engineer’s Report, Confirming the Assessment Diagrams and Assessments, and Ordering the Levy and Collection of Assessments for Fiscal Year 2013 (Report from Development Services Director Rizk)	
Staff Report	227
Attachment I Resolution.	234
Attachment II Engineer Report	238
Attachment III Zone 3 Budget Comparison	320
Denial of a Proposed Walmart Market Grocery Store at the 34,000-square-foot Building Formerly Occupied by Circuit City at 2480 Whipple Road (Report from Development Services Director Rizk)	
Staff Report	321
Attachment I Resolution.	322
Attachment II May 22 2012 Meeting Minutes	325



CITY COUNCIL MEETING FOR JUNE 12, 2012
777 B STREET, HAYWARD CA 94541
WWW.HAYWARD-CA.GOV

CITY COUNCIL MEETING
Council Chambers - 7:00 PM

CALL TO ORDER Pledge of Allegiance Council Member Henson

ROLL CALL

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, or Boards and Commissions 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.)*

NON-ACTION ITEMS: *(Work Session and Informational Staff Presentation items are non-action items. Although the Council may discuss or direct staff to follow up on these items, no formal action will be taken. Any formal action will be placed on the agenda at a subsequent meeting in the action sections of the agenda.)*

WORK SESSIONS

1. FY 2013 & FY 2014 Recommended Biennial Budget Work Session #4 (Report from Finance Director Vesely)
[Staff Report](#)
2. FY 2013 Community Agency Funding Recommendations for All Funds and Funding Categories, Including: Community Promotions; Neighborhoods, Arts & Events; Social Services; Community Development Block Grant (CDBG); and Measure B - Paratransit (Report from Library and Community Services Director Reinhart)
[Staff Report](#)
[Attachment I FY 2013 Community Agency Funding Summary - All Funds](#)
[Attachment II - FY 2013 Community Promotions / NAE Funding Recommendations](#)

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.)*

CONSENT

3. Approval of Minutes of the City Council Meeting on May 22, 2012
[Draft Minutes](#)
4. Resignation of Gurjit Kaur from the Personnel Commission
[Staff Report](#)
[Attachment I](#)
[Attachment II](#)
5. Downtown Business Improvement Area Annual Report and Proposed Budget for FY 2013
[Staff Report](#)
[Attachment I](#)
[Attachment II](#)
[Attachment III](#)
6. Approval of Loan of HOME Funds to Eden Housing Inc. for Rehabilitation of Leidig Court Apartments and Redocumentation of CDBG Investment
[Staff Report](#)
[Attachment I Resolution](#)
[Attachment II Location Map](#)
[Attachment III Previous CDBG Investment in the Property](#)
7. Pavement Reconstruction FY12 - Taxiway Delta at Hayward Executive Airport: Award of Contract
[Staff Report](#)
[Attachment I](#)
[Attachment II](#)
[Attachment III](#)
8. Sidewalk Rehabilitation and Wheelchair Ramps FY12 - Districts 6 & 9: Award of Contract
[Staff Report](#)
[Attachment I](#)
[Attachment II](#)
[Attachment III](#)



9. Signal Timing and Controller Replacement Program on Clawiter Corridor: Approval of Contracts for Purchase of Traffic Control Equipment
[Staff Report](#)
[Attachment I](#)
[Attachment II](#)

10. Report and Special Assessment for Residential Rental Inspection Fees Past Due
[Staff Report](#)
[Attachment I Resolution](#)
[Attachment II Special Assessment List 2012](#)

11. Report and Assessment for Community Preservation Fees Past Due
[Staff Report](#)
[Attachment I Resolution](#)
[Attachment II 2012 Community Preservation Lien List](#)
[Attachment III 2012 Weed Lien List](#)

12. Special Assessment Hearing and Report for Vehicle Abatement Fees Past Due
[Staff Report](#)
[Attachment I Resolution](#)
[Attachment II Vehicle Lien List](#)

13. Adoption of a Resolution to Approve an Amendment to the Hayward Police Management Unit Memorandum of Understanding
[Staff Report](#)
[Attachment I](#)
[Attachment II](#)

14. Adoption of a Resolution Authorizing Amendment of the Salary and Benefits Resolution for the Unrepresented Management, Human Resources and City Attorney Employees
[Staff Report](#)
[Attachment I](#)

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

15. Maintenance District No. 1 – Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane - Approve the Engineer's Report, Confirm the Assessment Diagram and Assessment, and Order the Levy and Collection of Assessments for Fiscal Year 2013 (Report from Development Services Director Rizk)

[Staff Report](#)

[Attachment I Draft Resolution](#)

[Attachment II Engineer Report](#)

16. Maintenance District No. 2 – Eden Shores Storm Water Facilities and Water Buffer - Approve the Engineer's Report, Confirm the Assessment Diagram and Assessment, and Order the Levy and Collection of Assessments for Fiscal Year 2013 (Report from Development Services Director Rizk)

[Staff Report](#)

[Attachment I Draft Resolution](#)

[Attachment II Engineer Report](#)

17. Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13 – Approving the Engineer's Report, Confirming the Assessment Diagrams and Assessments, and Ordering the Levy and Collection of Assessments for Fiscal Year 2013 (Report from Development Services Director Rizk)

[Staff Report](#)

[Attachment I Resolution](#)

[Attachment II Engineer Report](#)

[Attachment III Zone 3 Budget Comparison](#)

18. Denial of a Proposed Walmart Market Grocery Store at the 34,000-square-foot Building Formerly Occupied by Circuit City at 2480 Whipple Road (Report from Development Services Director Rizk)

[Staff Report](#)

[Attachment I Resolution](#)

[Attachment II May 22 2012 Meeting Minutes](#)

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

NEXT MEETING – 7:00 PM, TUESDAY, JUNE 19, 2012

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 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. Written comments submitted to the Council in connection with agenda items will be posted on the City's website. All Council Meetings are broadcast simultaneously on the website and on Cable Channel 15, KHRT. ******

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.

Please visit us on:





DATE: June 12, 2012
TO: Mayor and City Council
FROM: Director of Finance
SUBJECT: FY 2013 & FY 2014 Recommended Biennial Budget Work Session #4

RECOMMENDATION

That Council reviews and comments on the FY 2013 & FY 2014 Recommended Biennial Budget.

DISCUSSION

On May 8, 2012, the City Manager presented to City Council the FY 2013 & FY 2014 Recommended Biennial Operating Budget for Council consideration over the seven weeks prior to adopting the budget on June 26, 2012.

Tonight marks the final of four work sessions on the recommended two-year budget. Staff will present to Council key budget and program elements for each City department program area.

Presentations scheduled for tonight include:

- Technology Services
- Police

The budget document is available to the public electronically at [FY 2013 & FY 2014 Recommended Operating Biennial Budget](#). Council will hold a Public Hearing on the recommended budget on June 19, 2012.

Prepared and Recommended by: Tracy Vesely, Director of Finance

Approved by:

Fran David, City Manager

DATE: June 12, 2012

TO: Mayor and City Council

FROM: Library and Community Services Director

SUBJECT: FY 2013 Community Agency Funding Recommendations for All Funds and Funding Categories, Including: Community Promotions; Neighborhoods, Arts & Events; Social Services; Community Development Block Grant (CDBG); and Measure B - Paratransit

RECOMMENDATION

That Council reviews this report and provides guidance to staff regarding the final FY 2013 funding allocations in the following funding categories: Community Promotions; Neighborhoods, Arts & Events; and Social Services.

SUMMARY

The City of Hayward prides itself in its support of external agencies and community based organizations and the incredible extension of critical services these agencies provide Hayward residents. Over the past several years, as the City has been confronted with significant fiscal challenges, it has strived to maintain this support to the greatest extent possible within the context of limited and diminishing resources.

The draft Community Agency Funding for FY 2013 is provided as Attachment I, and is summarized here in the following two charts:

TABLE 1: Funding Sources

<u>SOURCE</u>	<u>AMOUNT</u>
Federal Funding - CDBG	\$933,330
Measure B - Paratransit	\$157,000
City General Fund	<u>\$406,144</u>
TOTAL	<u>\$1,496,474</u>

TABLE 2: Program Area Allocations

<u>PROGRAM AREA</u>	<u>TOTAL ALLOCATION</u>
Arts & Music	\$99,500
Community Facilities Improvements	\$253,330
Community Promotions	\$23,500
General Services to Low-Income Residents	\$124,868
Housing-Related Services to Low-Income Residents	\$600,000
Jobs & Academic Support	\$111,672
Civic Observances & Events	\$5,584
Services to Seniors and Those with Disabilities	\$241,245
Youth Services	<u>\$36,775</u>
TOTAL	<u>\$1,496,474</u>

BACKGROUND

The vast majority of the FY 2013 funding recommendations were achieved using a single funding process that integrated the previous, separately facilitated Community Development Block Grant (CDBG), Social Services, and Arts and Music funding processes. The integrated funding process was conducted in compliance with the City’s CDBG [Citizen Participation Plan](#), and is reflective of efficiencies afforded by the consolidation of the Citizens Advisory Commission and Human Services Commission into a single Community Services Commission (CSC), formed by Council in October 2011.

Previous Council Action: All FY 2013 CDBG-funded recommendations were finalized by Council at the conclusion of [the CDBG Public Hearing](#) (see page 59 of the agenda packet) that took place on April 17, 2012, and have been submitted to the U.S. Department of Housing and Urban Development (HUD) as part of the City’s Annual One-Year Action Plan for FY 2013.

During the April 17, 2012 Public Hearing, Council also reviewed and preliminarily approved its FY 2013 Social Services funding allocations. The exact amount of FY 2013 General Fund monies that would be available for Social Services programs was not yet known at the time of the Public Hearing, pending Council adoption of the FY 2013 budget. Therefore, the FY 2013 Social Services funding recommendations were established using an estimated total amount of available funding. Also, each of the recommendations was presented as a percentage of that estimated total amount, so that when the actual amount of funding was determined at the time of budget adoption, those percentages could be applied to adjust each recommendation accordingly.

Community Services Commission Actions: Similarly, the exact amount of FY 2013 General Fund monies that would be available for Neighborhoods, Arts and Events programs was not yet known at the time the Community Services Commission established funding recommendations in that category at its [public meeting held May 16, 2012](#). Therefore, the FY 2013 Neighborhoods, Arts and Events funding recommendations were established using an estimated total amount of available funding, and each recommendation was presented as a percentage of the total. This was done to allow for the actual amounts of

funding to be adjusted according to those percentages when the actual amount of available funding was determined at the time of Council budget adoption.

For the first time, applicants submitted their FY 2013 funding requests (for CDBG, Social Services, Community Promotions, and Neighborhoods, Arts & Events funding) electronically using a web-based system called “City Data Services.” All applicants used the same “common” application regardless of the type of service proposed or source of funding sought. A complete copy of [the application materials](#) was posted to the City’s website so that applicants and community members could review it and/or print it at their convenience without the need to log onto the “City Data Services” system.

The application materials included Council’s Priorities, the *Neighborhood Services Initiative*, and a brief orientation to *Crime Prevention through Environmental Design* (CPTED) principles. Applicants were asked to describe in their applications how the services proposed would support one or more of Council’s Priorities and, as applicable, HUD’s Performance Measures.

All of the Community Services Commissioners reviewed all of the applications and provided comments and questions for each of the applicants via the web-based “City Data Services” system. There were three separate Application Review Committees (ARCs): the “Infrastructure” ARC, the “Services” ARC, and the “Neighborhoods, Arts & Events” ARC.

The “Infrastructure” ARC Chair was Commissioner Linda Moore, and Commissioners Kersten, Willis, Chiasson, Linnen, and Fagalde served on the ARC. The “Infrastructure” ARC interviewed applicants in that category on Saturday, November 5, 2011, and presented preliminary recommendations to the Community Services Commission on Wednesday, November 16, 2011. After discussion, the Commission established its official funding recommendations in that category on that evening.

The “Services” ARC Chair was Commissioner Elizabeth Samayoa, and Commissioners Leppert, Fagalde, Morales-Contreras, Henderson, Chiasson, Lara, and Bonilla served on the ARC. The “Services” ARC interviewed applicants on Saturday, January 7 and Saturday, January 21, 2012, and presented preliminary funding recommendations to the Community Services Commission on Wednesday, February 15, 2012. After discussion, the Commission established its official funding recommendations that evening, and a thirty-day Public Comment period was subsequently opened.

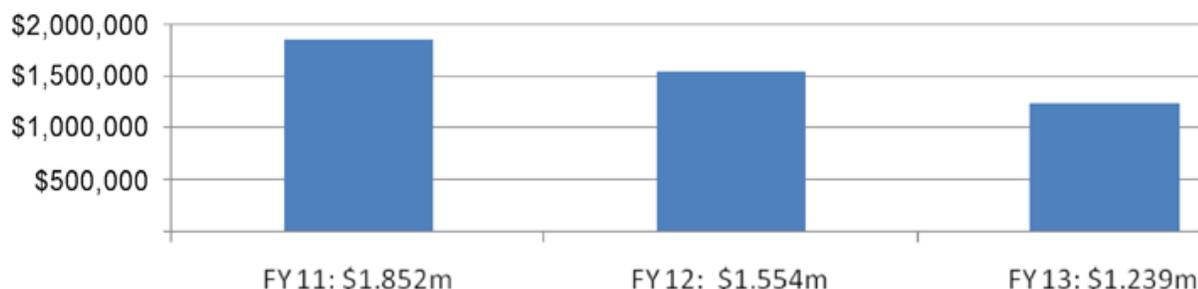
The “Neighborhoods, Arts & Events” ARC Chair was Commissioner Ray Bonilla, and Commissioners Guernsey, Allen-Thomas, McManus, Fagalde, Chiasson, Yip, and Moore served on the ARC. The “Services” ARC interviewed applicants on Saturday, April 28, 2012, and presented preliminary funding recommendations to the Community Services Commission on Wednesday, May 16, 2012. After discussion, the Commission established its official funding recommendations that evening.

DISCUSSION

FY 2013 CDBG Program Overview: During FY 2013, the City will administer CDBG funds received from the U.S. Housing and Urban Development Department (HUD). Hayward is an “Entitlement” CDBG grantee, and as such, funding is provided annually upon HUD’s approval of the Council’s CDBG allocations, which form the substantive portion of the City’s Annual One-Year Action Plan.

It is projected that the City's FY 2013 CDBG grant will be reduced by 21% to approximately \$1,239,289. This projection consists of an 11% projected cut to the CDBG formula grant program in the federal budget, plus an additional 10% cut due to fluctuations in census data that affect the grant formula. The projection continues the declining trend in the size of the City's grant.

Figure A: City's CDBG Grant Size



As indicated in Figure 1, the City's CDBG grant has reduced in size by approximately one-third since FY 2011. This has substantially reduced financial support for housing rehabilitation and economic development activities, including grants to nonprofit agencies to support housing-stabilization services. The program's administration and planning budget is also proportionately reduced, and provides for fewer staff to administer the CDBG program, which remains an administratively complex and process-laden program, despite the grant's reduced size. A summary of Council's final FY 2013 CDBG funding allocations is provided in Table 3.

Table 3: FY 2013 CDBG Funding Allocations (Finalized by Council at the 4/17/2012 Public Hearing)

Agency Name	FY 2012 adopted	FY 2013 adopted 4/17/12	Public Review	CDBG Infrastructure	CDBG Public Services
Arts & Music					
COH: Mural Art Program (Graffiti Abatement)	\$36,500	\$50,000	CSC	\$50,000	
Arts & Music Sub-Total	**	\$50,000	-	\$50,000	-
Community Facilities					
COH: Acquisition of Matt Jimenez Community Ctr	\$133,330	\$133,330	CC	\$133,330	
Hayward Area Recreation District - ADA kitchen project	\$73,000	\$100,000	CSC	\$100,000	
Emergency Shelter Program - Preschool security gate	\$0	\$20,000	CSC	\$20,000	
Community Facilities Sub-Total	**	\$253,330	-	\$253,330	-
Housing-Related Services					
Centro Legal de la Raza	\$12,410	\$20,000	CSC		\$20,000
COH: Housing Rehabilitation Program	\$195,640	\$380,000	CSC	\$380,000	
ECHO: Fair Housing Assistance & Counseling	\$51,483	\$59,240	CSC		\$59,240
Emergency Shelter Program (operations)	\$18,980	\$26,000	CSC		\$26,000
Family Violence Law Center	\$36,500	\$47,260	CSC		\$47,260
FESCO	\$29,200	\$35,500	CSC		\$35,500
So. Hayward Parish/CAN	\$10,950	\$12,000	CSC		\$12,000

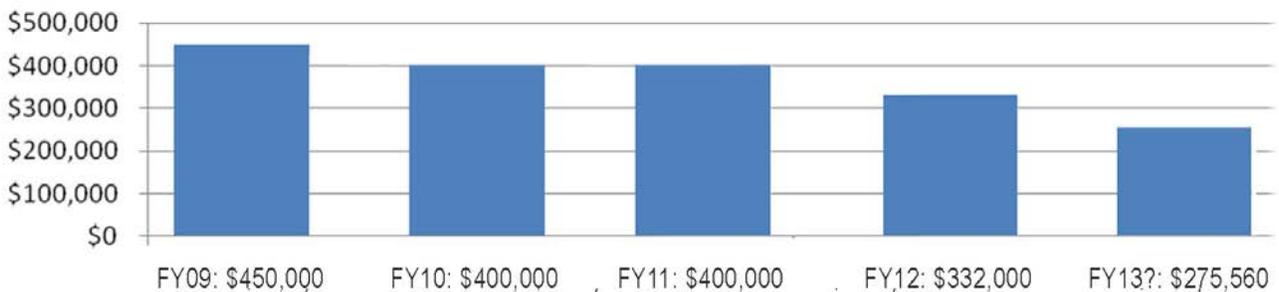
Agency Name	FY 2012 adopted	FY 2013 adopted 4/17/12	Public Review	CDBG Infrastructure	CDBG Public Services
Women on the Way	\$10,950	\$20,000	CSC		\$20,000
Housing-Related Services Sub-Total	**	\$600,000	-	\$380,000	\$220,000
Jobs and Academic Support					
4 C's of Alameda County - Childcare recruitment & training	\$25,550	\$30,000	CSC	\$30,000	
Jobs and Academic Support Sub-Total	**	\$30,000	-	\$30,000	-
TOTAL	**	\$933,330	-	\$713,330	\$220,000

** N/A; not all FY 2012 funded agencies are included in tables

The FY 2013 CDBG funding allocations include an allocation of \$133,330 for the sixth of twelve annual payments toward the acquisition of the Matt Jimenez Community Center by the City. The project was included in the CDBG Public Hearing Notice and in the funding recommendation charts used by the Council and CSC, consistent with the Citizen Participation Plan. However, because that project is an active multi-year funding commitment of CDBG funds and therefore not subject to change, it was not included in the Community Services Commission's review process in FY 2013, and was instead approved directly by Council, as all CDBG activities must be each year. All other FY 2013 CDBG funding allocations are single-year funding commitments that were vetted through the CSC's process for citizen review and recommendation prior to approval by Council.

FY 2013 Social Services Program Overview: The City's Social Services Program makes grants from the General Fund to support an array of services provided by non-profit agencies to support low-income Hayward residents. In each of the previous two funding cycles, the total amount of funding allocated for Social Services Program grants was reduced in consideration of the City's overall budget and diminished General Fund resources. Despite this, the total number of grants made to nonprofit agencies remained consistent, at approximately twenty-four.

Figure B: Total Social Services Program Funding



At the time of the Social Services Public Hearing before Council on April 17, 2012, it was unknown what, if any, Social Services money would be available for allocation through this process, pending Council approval of the FY 2013 General Fund budget. However, as a starting point for the FY 2013 application process, it was estimated that total funding for Social Services grants in FY 2013 would potentially remain at the same level as in FY 2012, \$332,000. At the Public Hearing on April 17, 2012, Council established its draft FY 2013 Social Services funding allocations. Because at that time it was not yet

known exactly how much funding would be available in the Social Services Program pending approval of the FY 2013 budget, Council formulated its draft allocations using an estimated amount of available funding. Each of the recommendations was established as a percentage of that estimate, so that when the actual amounts of funding were determined at the time of budget adoption, those percentages could be applied to adjust the draft allocations accordingly.

Ultimately, due to significant General Fund resource limitations in FY 2013 and beyond, the FY 2013 Recommended Budget entails a 17% adjustment to the Social Services Program, which is consistent with what the General Fund is experiencing overall. A summary of Council's FY 2013 Social Services draft funding allocations, including the proposed 17% adjustment, is provided in Table 4.

Table 4: Social Services Program FY 2013 Summary Funding Recommendations

Agency Name	FY 2012 adopted	FY 2013 Draft Recs 4/17/12	FY 2013 proposed (17% adj.)	Public Review	General Fund (SSP)
General Services for Low-Income Residents					
Alameda County Community Food Bank	\$16,600	\$25,000	\$20,750	CSC	\$20,750
Davis Street Family Resource Center	\$12,450	\$15,000	\$12,450	CSC	\$12,450
International Institute of the Bay Area - Immigration/Family Law	\$5,810	\$10,000	\$8,300	CSC	\$8,300
South Hayward Parish - Food pantry	\$14,442	\$14,700	\$12,201	CSC	\$12,201
Tri-City Health Center	\$24,900	\$24,900	\$20,667	CSC	\$20,667
Services for Low-Income Residents Sub-Total	**	\$89,600	\$74,368	-	\$74,368
Jobs and Academic Support					
Chabot College - "Education Talent Search" tutoring	-	\$20,000	\$16,600	CSC	\$16,600
EBAC/ Child Assault Prevention Program	\$15,355	\$18,500	\$15,355	CSC	\$15,355
Hayward Day Labor Center	\$87,600	\$47,400	\$39,342	CSC	\$39,342
Tiburcio Vasquez Health Center - Keepin' It Real	\$12,450	\$12,500	\$10,375	CSC	\$10,375
Jobs and Academic Support Sub-Total	**	\$98,400	\$81,672	-	\$81,672
Services for Seniors and People Who Have Disabilities					
Bay Area Community Services - Friendly Visitors program	-	\$12,500	\$10,375	CSC	\$10,375
Bay Area Community Services - Hedco House	\$16,600	\$17,000	\$14,110	CSC	\$14,110
Community Resources for Independent Living	\$24,900	\$25,000	\$20,750	CSC	\$20,750
Legal Assistance for Seniors (LAS)	\$18,260	\$22,000	\$18,260	CSC	\$18,260
Spectrum Community Services	\$24,070	\$25,000	\$20,750	CSC	\$20,750
Services for Seniors & PWHHD Sub-Total	**	\$101,500	\$84,245	-	\$84,245
Youth Services					
CALICO	\$14,525	\$17,500	\$14,525	CSC	\$14,525
Horizon Services, Inc.	\$12,450	\$25,000	\$20,750	CSC	\$20,750
Youth Services Sub-Total	**	\$42,500	\$35,275	-	\$35,275
TOTAL	**	\$332,000	\$275,560	-	\$275,560

** N/A; not all FY 2012 funded agencies are included in table

FY 2013 Neighborhoods, Arts & Events / Community Promotions Category Overview: The City provides grants from the General Fund to support an array of arts and music programs provided by nonprofit agencies for the benefit of Hayward residents, as well as community promotion events that are primarily focused on economic development for the City (i.e., events that draw attendees from outside the area into Hayward, who may then dine at Hayward restaurants, stay at Hayward hotels, and patronize other Hayward businesses during their visit.)

The FY 2013 funding cycle marks the establishment of a new “Neighborhoods, Arts & Events” (NAE) funding category for arts and music activities, and the integration of that category into the consolidated citizen review and funding recommendation process facilitated by the CSC. In FY 2013, the new NAE category is mainly comprised of arts & music programs formerly funded through the Community Promotions program. Events that are primarily focused on economic development have remained in the Community Promotions category in FY 2013, and were vetted through the Council Economic Development Committee (CEDC) review process prior to being presented for Council approval.

A summary of the adjusted FY 2013 funding recommendations in the Neighborhoods, Arts & Events (NAE) and Community Promotions (CP) categories is provided in Table 5.

Table 5: Neighborhoods, Arts & Events / Community Promotions FY 2013 Funding Recommendations

Agency Name	FY 2012 adopted	FY 2013 proposed	Public Review	General Fund (NAE)	General Fund (CP)
Arts & Music					
Hayward Arts Council - Hayward Band Festival	\$7,394	\$7,400	CSC	\$7,400	
Hayward Arts Council - Operations	\$24,317	\$3,136	CSC	\$3,136	
Hayward Municipal Band	\$16,533	\$9,287	CSC	\$9,287	
Pacific Chamber Symphony	\$5,627	\$3,015	CSC	\$3,015	
Sun Gallery, Hayward Area Forum of the Arts	\$33,300	\$19,238	CSC	\$19,238	
Youth Orchestra of Southern Alameda County	\$4,780	\$2,262	CSC	\$2,262	
Unallocated*		\$5,161*	CC	\$5,161*	
Arts & Music Sub-Total	**	\$49,500	-	\$49,500	-
Community Promotions					
Blues Festival	\$24,300	\$21,500	CEDC		\$21,500
Zucchini Festival	\$1,300	\$2,000	CEDC		\$2,000
Community Promotions Sub-Total		\$23,500	-	-	\$23,500
General Services for Low-Income Residents					
Imperial Star Empire, Inc.	-	\$500	CSC	\$500	
Services for Low-Income Residents Sub-Total	**	\$500	-	\$500	-
Youth Services					
Lighthouse Community Center	\$500	\$1,500	CSC	\$1,500	
Youth Services Sub-Total	**	\$1,500	-	\$1,500	-
TOTAL	**	\$75,000		\$51,500	\$23,500

* Includes \$2,000 available to be allocated from CMO FY 2013 budget

** N/A; not all FY 2012 funded agencies are included in table

The amount of FY 2013 funding initially estimated to be available in the Neighborhoods, Arts & Events (NAE) category was \$33,000, a nearly 65% decrease in available funding from the previous fiscal year. The amount of FY 2013 funding initially estimated to be available in the Community Promotions category was \$11,000, also a 65% decrease in available funding from the previous fiscal year. These significant reductions in available funding were caused by the elimination of the Redevelopment Agency by the State of California in FY 2012.

A summary of the Community Services Commission’s recommendations and the rationale behind the recommendations are presented in Table 6.

Table 6. Community Services Commission’s FY 2013 Funding Recommendations With Rationale – Neighborhoods, Arts & Events Category

AGENCY NAME	Amount Requested	CSC Recs. 5/17/12	% of total	Adjusted Recs. 5/25/12	CSC's RATIONALE
Hayward Arts Council - Band Festival	\$7,400	\$7,000	21.21%	\$7,400	Funding is recommended to support the Band Festival, where students from six Hayward middle and high schools perform, to showcase skills developed during the previous year. Instructors are musicians and educators from throughout the bay area. City funding would be used to pay for the Chabot College auditorium, which is the venue for the event.
Hayward Arts Council - Operations	\$21,015	\$2,080	6.30%	\$3,136	Funding is recommended to support community interest in the arts through continued operation of five art galleries, and various shows and exhibitions throughout the year. The ARC noted Applicant's good fiscal and organizational management, including its participation in the City's Nonprofit Executive Seminar.
Hayward Municipal Band	\$18,746	\$6,160	18.66%	\$9,287	Applicant proposes to provide six free concerts in the City's Memorial Park. Applicant receives substantial in-kind support from HARD and private donors. City funding would be used to pay the musicians for presenting the concerts for free. Funding would be conditioned on Applicant's willingness to offer a number of free concerts proportionate to the amount of funding allocated.
Imperial Star Empire, Inc.	\$500	\$500	1.52%	\$500	This first-time Applicant hosts an annual international fundraising event to benefit local charitable organizations that serve LGBTQ people, including those located in Hayward. If funded, Applicant proposes to host the FY 12-13 event in Hayward, which would be attended by people from all over the US, Canada, and Mexico, who would utilize Hayward hotels, restaurants, and other services. Funding would be used to pay for rental of the City Hall Rotunda.
Lighthouse Community Center	\$1,500	\$1,000	3.03%	\$1,500	Funding is recommended to support Applicant's annual <i>Viva Las Vegas</i> fundraising event, which will support its <i>Bully Awareness</i> workshops, which are presented in partnership with HUSD and the Hayward Police Department.

Pacific Chamber Symphony	\$6,000	\$2,000	6.06%	\$3,015	Applicant proposes to perform at music education assemblies at three Hayward elementary schools. Although supportive of the proposal, which could potentially partially "backfill" cuts to HUSD's music and arts programs, ARC members expressed concern that there seemed to be no way to measure the impact of the performances. Funding would be conditioned on Applicant's willingness to perform at a number of assemblies proportionate to the amount of funding allocated.
Sun Gallery	\$35,000	\$12,760	38.67%	\$19,238	The City of Hayward is the sole source of operational support for the Sun Gallery, and any reduction in funding could result in layoffs and possible closure of the Gallery by March 2013. ARC members noted the Sun Gallery is participating in the City's Non Profit Executive Seminar, and is actively seeking ways to diversify its sources of support.
Youth Orchestra	\$4,800	\$1,500	4.55%	\$2,262	Funding is recommended in the amount of \$1,500, to be used for music education scholarships for Hayward students.
Unallocated*				\$5,161	
Total:	\$94,961	\$33,000	100.00%	\$51,499	

Neighborhoods, Arts & Events Funding Recommendations: During its public meeting of May 16, 2012, the CSC established funding recommendations in the NAE category based on an estimated \$33,000 in available funding overall. Because the exact amount of FY 2013 available funding was not yet known, the CSC presented each recommendation as a percentage of the overall available funding, with the understanding that when the exact amount of available funding was determined at the time of Council budget adoption, the percentages could be applied to adjust the allocations accordingly. However, the CSC also determined that should more funding become available than was estimated, the adjusted funding recommendations should not exceed the amounts actually requested.

Subsequent to that meeting of the CSC, the City's FY 2013 budget continued to be refined as the process moved forward, to the point that on May 25, 2012, the estimate of available FY 2013 funding in the NAE category was revised to \$49,500. When the percentage adjustments established by the CSC were applied in light of this new information, there were two applications for which the adjusted funding recommendations exceeded the amount requested, and were adjusted per the adopted policy of the CSC. The total excess amount of \$3,161 was assigned "unallocated" status, to await further direction by Council regarding the disposition of those funds. As the budget refinement continued, an additional \$2,000 in available funding in the City Manager Office budget was identified; these funds were also assigned "unallocated" status in the NAE category, bringing the total amount of "unallocated" NAE funds to \$5,161.

NAE Funding Process - Challenges and Errata: As the budget process moved forward and projections were refined, multiple revisions to the projected amount of available funding in the NAE category resulted in multiple versions of the funding recommendations being distributed to applicant agencies in a relatively short period of time. This led to some confusion among the applicant agencies. Compounding this, one table of adjusted funding recommendations mistakenly sent to applicant agencies included a spreadsheet error, in which two applicants were erroneously shown to have received an adjusted recommendation of funding in excess of their actual requested amount. Staff quickly sent out a corrected table with an apology to the applicant agencies explaining the error, and immediately took steps to prevent future errors of this kind.

“Unallocated” NAE Funding – Staff Recommendations: During the CSC process, there was a miscommunication from the Hayward Arts Council in which, in answer to CSC questions, Council representatives mistakenly assured the CSC that the Council could exist without City funding in FY 2013. Subsequent to the distribution of the adjusted CSC funding recommendations, Hayward Arts Council approached staff to explain their error and requested that the Hayward Arts Council be considered for an increase of funding to a total of \$14,000. In consideration of the proportionally greater difference between that agency’s recommended funding and the original amount requested, staff recommends that Council consider awarding the “unallocated” NAE funds of \$5,161 to the Arts Council. In addition, staff recommends that Council consider from among the following options for potentially granting Hayward Arts Council’s request for a total funding of \$14,000, which would be 57% of their original application request and consistent with other allocations in this category:

Option 1. Identify \$5,703 in funding from an alternative source to bring the total funding for Hayward Arts Council to \$14,000. Potential alternative sources of funding include:

- A. Reduce the total amount of available General Fund funding in the “Other Funds” Category (see Table 7) by \$5,703. If Council chooses to explore this option, staff recommends that Council reduce the allocation to Eden Information & Referral from \$50,000 to \$44,297 in order to achieve the desired savings in the “Other Funds” category. Rationale: the City’s allocation to Eden I&R has remained consistent at \$50,000 per year in each of the past three fiscal years. A reduction to \$44,297 of \$5,703 is a reduction of 11.4%. By way of comparison, the Social Services Program experienced a 17% reduction of funding in FY 2012, and an additional 17% reduction has been proposed for FY 2013 – a 31% cumulative reduction in two years.
- B. Reduce the total amount of available General Fund funding in the “NAE/Community Promotions” category by \$5,703. If Council chooses to explore this option, staff recommends that Council consider reducing the allocation to the Blues Festival from \$21,500 to \$15,797 to realize the desired amount of savings. Rationale: the Blues Festival has the largest amount of recommended funding in this category.
- C. Increase the use of General Fund reserves by \$5,703 in FY 2013.

Option 2. Only allocate the \$5,161 in available “unallocated” funds in the NAE category to augment the FY 2013 funding support for Hayward Arts Council, which would bring its total funding allocation to \$8,297. This would be 34% of the original request.

Option 3. Affirm the funding recommendations as presented in Table 5. This would be 14.92% of their original application request.).

Community Promotions Funding Recommendations: During its [public meeting](#) of May 12, 2012, the Council Economic Development Committee (CEDC) established its funding recommendations in the Community Promotions Category based on an estimated total of \$11,000 in available funding. Subsequent to that meeting, the City’s FY 2013 budget continued to be refined as the budget process moved forward, to the point that on May 25, 2012, the estimate of available FY 2013 funding in the Community Promotions

category was revised to \$23,500. Staff updated the funding recommendations in the Community Promotions category to reflect the revised estimate of available funding.

FY 2013 Community Agency Funding Summary – Other Funds: The City also provides funding support to other programs and activities, including the 2-1-1 service and the miscellaneous civic observances funded by the General Fund as well as supplemental services to seniors funded by Measure B – Paratransit pass-through funds. A summary of the FY 2013 Community Agency Funding – Other Funds category is provided in Table 7.

Table 7: FY 2013 Community Agency Funding Summary – Other Funds

The funding recommendations in this category for the 2-1-1 service and the annual civic observances were reviewed directly by Council. Funding allocations in this category for “services to seniors” were reviewed and recommended by the Paratransit Advisory Committee (PAC), and were approved by the funder, Alameda County Transportation Commission (ACTC), as part of the City’s FY 2013 Paratransit Program Application. As part of the FY 2013 budget approval process, Council will be considering and approving allocations in the first two categories: “General Services for Low-Income Residents” and “Miscellaneous Civic Programs & Events”. The remaining category, “Services for Seniors and People Who Have Disabilities” has already been approved by the funding agency, ACTC.

Agency Name	FY 2012 adopted	FY 2013 proposed	Public Review	General Fund (CMO)	Measure B Paratransit
General Services for Low-Income Residents					
Eden Information & Referral (2-1-1)	\$50,000	\$50,000	CC	\$50,000	
Services for Low-Income Residents Sub-Total	**	\$50,000	-	\$50,000	-
Miscellaneous Civic Programs & Events					
Cinco de Mayo Celebration	\$2,524	\$2,524	CC	\$2,524	
Martin Luther King Celebration	\$1,910	\$1,910	CC	\$1,910	
Memorial Day Observance	\$800	\$800	CC	\$800	
Veteran's Day Observance	\$350	\$350	CC	\$350	
Misc. Civic Proqams & Events Sub-Total	**	\$5,584	-	\$5,584	-
Services for Seniors and People Who Have Disabilites					
Alzheimer's Services of the East Bay	\$50,000	\$75,000	PAC		\$75,000
CRIL – Travel Training	-	\$50,000	PAC		\$50,000
Service Opportunities for Seniors	\$32,000	\$32,000	PAC		\$32,000
Services for Seniors & PWHD Sub-Total	**	\$157,000	-	-	\$157,000
TOTAL	**	\$212,584		\$55,584	\$157,000

** N/A; not all FY 2012 funded agencies are included in tables

FISCAL IMPACT

The CDBG Program has no impact on the City's General Fund, as a portion of CDBG funds (up to 20%) may be used to pay for eligible Planning and Administration of the program, including NEPA environmental review, contracting, Labor Standards monitoring, lead-based paint compliance, procurement of contractors, site inspections, financial management, and federal reporting.

The Social Services, Community Promotions, and Neighborhood Arts & Events Funding Recommendations will be affected by Council's overall budget deliberations as they relate to overall General Fund obligations. As these grants are made using General Funds, reducing or eliminating the grants would have a beneficial impact on the City's budget. However, the majority of Social Services grants support "safety net" services, i.e., food, housing, support services for low-income people, and information and referral. Reducing or eliminating grants would have a negative fiscal impact on those affected by reduced or eliminated services, as well as on the nonprofit agencies.

PUBLIC CONTACT

A complete description of the Public Contact conducted during the CDBG and Social Services funding processes is provided in the [April 17, 2012 Public Hearing Staff Report](#) (see page 68). In addition to the extensive public contact recounted in that report, the following public contact took place:

On April 28, 2012, the "Neighborhoods, Arts, & Events" ARC convened and conducted interviews of all applicants for City funding in that category.

On May 7, 2012, the Council Economic Development Committee convened a public meeting to review and discuss preliminary funding recommendations in the Community Promotions category, and established its funding recommendations during that same meeting.

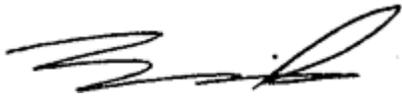
On May 16, 2012, the Community Services Commission convened a public meeting to review and discuss the ARC's preliminary funding recommendations in the "Neighborhoods, Arts, & Events" (NAE) funding category. On that evening, applicants were provided an opportunity to present public comments to the Commission, and after discussion, the CSC established its funding recommendations in the NAE category.

NEXT STEPS

Council will conduct a public hearing on Tuesday, June 26, 2012, at which Council will adopt the FY 2013 & FY 2014 Biennial Budget. The final budget document will include the FY 2013 community agency funding allocations that were established by Council in all funds and funding categories, including: Community Promotions; Neighborhoods, Arts & Events; Social Services; Community Development Block Grant (CDBG); and Measure B - Paratransit.

Prepared and Recommended by: Sean Reinhart, Library and Community Services Director

Approved by:



Fran David, City Manager

Attachments:

Attachment I: Community Agency Funding Summary – All Funds FY 2013

Community Agency Funding Summary -- All Funds FY 2013

Agency Name	FY 2012 adopted	FY 2013 proposed	Public Review	CDBG***	CDBG*** (PSC)	General Fund (SSP)	General Fund (NAE)	General Fund (CP)	General Fund (CMO)	Measure B Paratransit
Arts & Music										
COH: Mural Art Program (Graffiti Abatement)	\$36,500	\$50,000	CSC	\$50,000						
Hayward Arts Council - Hayward Band Festival	\$7,394	\$7,400	CSC				\$7,400			
Hayward Arts Council - Operations	\$24,317	\$3,136	CSC				\$3,136			
Hayward Municipal Band	\$16,533	\$9,287	CSC				\$9,287			
Pacific Chamber Symphony	\$5,627	\$3,015	CSC				\$3,015			
Sun Gallery, Hayward Area Forum of the Arts	\$33,300	\$19,238	CSC				\$19,238			
Youth Orchestra of Southern Alameda County	\$4,780	\$2,262	CSC				\$2,262			
Unallocated*		\$5,161*	CC				\$3,161*		\$2,000*	
Arts & Music Sub-Total	**	\$99,500	-	\$50,000	-	-	\$47,500	-	\$2,000	-
Community Facilities Improvements										
COH: Acquisition of Matt Jimenez Community Ctr	\$133,330	\$133,330	CC	\$133,330						
Hayward Area Recreation District - Sorensdale ADA kitchen	\$73,000	\$100,000	CSC	\$100,000						
Emergency Shelter Program - Preschool security gate	\$0	\$20,000	CSC	\$20,000						
Community Facilities Sub-Total	**	\$253,330	-	\$253,330	-	-	-	-	-	-
Community Promotions										
Blues Festival	\$24,300	\$21,500	CEDC					\$21,500		
Zucchini Festival	\$1,300	\$2,000	CEDC					\$2,000		
Community Promotions Sub-Total		\$23,500	-	-	-	-	-	\$23,500	-	-
General Services for Low-Income Residents										
Alameda County Community Food Bank	\$16,600	\$20,750	CSC			\$20,750				
Davis Street Family Resource Center	\$12,450	\$12,450	CSC			\$12,450				
Eden Information & Referral	\$50,000	\$50,000	CC						\$50,000	
Imperial Star Empire, Inc.	-	\$500	CSC				\$500			
International Institute of the Bay Area - Immigration/Family Law	\$5,810	\$8,300	CSC			\$8,300				
South Hayward Parish - Food pantry	\$14,442	\$12,201	CSC			\$12,201				
Tri-City Health Center	\$24,900	\$20,667	CSC			\$20,667				
Services for Low-Income Residents Sub-Total	**	\$124,868	-	-	-	\$74,368	\$500	-	\$50,000	-
Housing-Related Services										
Centro Legal de la Raza	\$12,410	\$20,000	CSC		\$20,000					
COH: Housing Rehabilitation Program	\$195,640	\$380,000	CSC	\$380,000						
ECHO: Fair Housing Assistance & Counseling	\$51,483	\$59,240	CSC		\$59,240					
Emergency Shelter Program - Shelter operations	\$18,980	\$26,000	CSC		\$26,000					
Family Violence Law Center	\$36,500	\$47,260	CSC		\$47,260					
FESCO	\$29,200	\$35,500	CSC		\$35,500					
So. Hayward Parish/CAN	\$10,950	\$12,000	CSC		\$12,000					
Women on the Way	\$10,950	\$20,000	CSC		\$20,000					
Housing-Related Services Sub-Total	**	\$600,000	-	\$380,000	\$220,000	-	-	-	-	-

Community Agency Funding Summary -- All Funds FY 2013

Agency Name	FY 2012 adopted	FY 2013 proposed	Public Review	CDBG***	CDBG*** (PSC)	General Fund (SSP)	General Fund (NAE)	General Fund (CP)	General Fund (CMO)	Measure B Paratransit
Jobs and Academic Support										
4 C's of Alameda County - Childcare recruitment & training	\$25,550	\$30,000	CSC	\$30,000						
Chabot College - "Education Talent Search" tutoring		\$16,600	CSC			\$16,600				
EBAC/ Child Assault Prevention Program	\$15,355	\$15,355	CSC			\$15,355				
Hayward Day Labor Center	\$87,600	\$39,342	CSC			\$39,342				
Tiburcio Vasquez Health Center - Keepin' It Real	\$12,450	\$10,375	CSC			\$10,375				
Jobs and Academic Support Sub-Total	**	\$111,672	-	\$30,000	-	\$81,672	-	-	-	-
Miscellaneous Civic Programs & Events										
Cinco de Mayo Celebration	\$2,524	\$2,524	CC						\$2,524	
Martin Luther King Celebration	\$1,910	\$1,910	CC						\$1,910	
Memorial Day Observance	\$800	\$800	CC						\$800	
Veteran's Day Observance	\$350	\$350	CC						\$350	
Misc. Civic Programs & Events Sub-Total	**	\$5,584	-	-	-	-	-	-	\$5,584	-
Services for Seniors and People Who Have Disabilities										
Alzheimer's Services of the East Bay	\$50,000	\$75,000	PAC							\$75,000
Bay Area Community Services - Friendly Visitors program	-	\$10,375	CSC			\$10,375				
Bay Area Community Services - Hedco House	\$16,600	\$14,110	CSC			\$14,110				
CRIL - Independent living activities & support	\$24,900	\$20,750	CSC			\$20,750				
CRIL - Travel training	-	\$50,000	PAC							\$50,000
Legal Assistance for Seniors (LAS)	\$18,260	\$18,260	CSC			\$18,260				
Service Opportunities for Seniors	\$32,000	\$32,000	PAC							\$32,000
Spectrum Community Services	\$24,070	\$20,750	CSC			\$20,750				
Services for Seniors & PWHHD Sub-Total	**	\$241,245	-	-	-	\$84,245	-	-	-	\$157,000
Youth Services										
CALICO	\$14,525	\$14,525	CSC			\$14,525				
Horizon Services, Inc.	\$12,450	\$20,750	CSC			\$20,750				
Lighthouse Community Center	\$500	\$1,500	CSC				\$1,500			
Youth Services Sub-Total	**	\$36,775	-	-	-	\$35,275	\$1,500	-	-	-
TOTAL	**	\$1,496,474		\$713,330	\$220,000	\$275,560	\$49,500	\$23,500	\$57,584	\$157,000

* City Council meets 6/12/2012

** N/A; not all FY 2012 funded agencies are included in table (see staff report)

*** CDBG funding allocations for FY 2013 were finalized by Council 4/17/12

Abbreviations: CDBG = Community Development Block Grant CSC = Community Services Commission
 PSC = CDBG (Public Services Category) CC = City Council
 SSP = Social Services Program Category CEDC = Council Economic Development Committee
 NAE = Neighborhoods Arts & Events Category PAC = Paratransit Advisory Committee
 CP = Community Promotions Category CMO = City Manager's Office

****DRAFT****

**COMMUNITY PROMOTIONS / NEIGHBORHOODS ARTS EVENTS
FUNDING RECOMMENDATIONS - FY 2013**

CATEGORY: NEIGHBORHOODS, ARTS & EVENTS								
App. #:	AGENCY NAME	FY 12 Funding	Amt of FY13 Request	Staff Recs 5/18	CSC Recs 5/18	% of FY13 request	UPDATED*** Recs 5/25	% of subtotal
1	Hayward Arts Council	\$24,317	\$21,015	\$2,080	\$2,080	14.92%	\$3,136	6.30%
2	Band Festival	\$7,394	\$7,400	\$7,000	\$7,000	100.00%	\$7,400	21.21%
3	Hayward Municipal Band	\$16,533	\$18,746	\$6,160	\$6,160	49.54%	\$9,287	18.67%
4	Imperial Star Empire, Inc. *	\$0	\$500	\$500	\$500	100.00%	\$500	1.52%
5	Lighthouse Community Center	\$500	\$1,500	\$1,000	\$1,000	100.00%	\$1,500	3.03%
6	Pacific Chamber Symphony	\$5,627	\$6,000	\$2,000	\$2,000	50.26%	\$3,015	6.06%
7	Sun Gallery	\$33,300	\$35,000	\$12,760	\$12,760	54.97%	\$19,238	38.67%
8	Youth Orchestra	\$4,780	\$4,800	\$1,500	\$1,500	47.12%	\$2,262	4.55%
ADDITIONAL AMOUNT AVAILABLE FOR ALLOCATION **							\$5,161	**
SUBTOTAL:		\$92,451	\$94,961	\$33,000	\$33,000	54.23%	\$51,500	100.00%

CATEGORY: COMMUNITY PROMOTIONS								
App. #:	AGENCY NAME	FY 12 Funding	Amt of FY13 Request	Staff Recs 5/7	Staff Recs 5/18	% of FY13 request	UPDATED*** Recs 5/25	% of subtotal
9	Blues Festival	\$24,300	\$24,300	\$9,300	\$21,500	88.48%	\$21,500	91.49%
10	Zucchini Festival	\$1,300	\$20,000	\$1,700	\$2,000	10.00%	\$2,000	8.51%
SUBTOTAL:		\$25,600	\$44,300	\$11,000	\$23,500	53.05%	\$23,500	100%

GRAND TOTAL:		\$118,051	\$139,261	\$44,000	\$56,500	53.86%	\$75,000	100%
---------------------	--	------------------	------------------	-----------------	-----------------	---------------	-----------------	-------------

* New Application in FY 2013

** City Council meets 7:00 p.m. on 6/12/2012

*** Funding recommendations cannot exceed amount requested



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, May 22, 2012, 7:00 p.m.**

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

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Quirk, Halliday, Peixoto, Salinas,
Henson
MAYOR Sweeney
Absent: None

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson reported that Council met with labor negotiators, pursuant to Government Code 54957.6, regarding Unrepresented Management Employees; Human Resources and City Attorney Employees; and Police Management. He reported there was no reportable action.

PRESENTATION

Hayward Youth Commission Scholarship

Mayor Sweeney invited to the podium Hayward Youth Commission members Claudia Canales, Elmer Beltran, Alejandra Melgoza and Diego Castro. Hayward Youth Commission member Melgoza noted this was the second year in which scholarships were awarded to students to help them pay for expenses related to college. Commissioner Melgoza announced the two awardees Christopher Jackson from Moreau Catholic High School, and Manisha Sharma from Mt. Eden High School, acknowledged they were academic superstars, contributed numerous community service hours, and offered suggestions to invest in library services. Miss Melgoza presented each one with a \$500 check. On behalf of the Hayward Youth Commission, Commissioner Melgoza thanked the City, Hayward Firefighters Local 1909, and Los Chilonos de Hayward for helping fund the two scholarships. Council Member Zermeño, Hayward Youth Commission liaison, commended the work done by the Commission.

Mayor Sweeney announced the community promotions budget would be heard on June 12, 2012.

PUBLIC COMMENTS

Ms. Wynn Greich, Industrial Parkway SW resident, claimed that elected officials who are involved in decision making are not fully informed about the dangers of water fluoridation. Ms. Grcich encouraged the public to visit the website FoodandWaterwatch.com concerning a petition against hydraulic fracking and submitted a document for the record, which listed the toxic chemicals released into the water from hydraulic fracking.

Ms. Deborah Gallegos, Fairview District resident, read a portion of the article entitled, "Top Ten Arguments Against Water Fluoridation," a copy of which was submitted for the record.

Mr. Jim Drake, Franklin Avenue resident, reiterated a concern about three restaurants in his neighborhood that use power washers to clean kitchen equipment and thus pollute the bay and also violate the Noise Ordinance. Mr. Drake requested staff address his concerns.

Mr. Jesús Armas, with business address on Main Street, asked a council candidate for his assistance. Mr. Armas shared that a campaign sign for Council Candidate Farias had been placed over a "Yes for Measure G" sign, and asked Mr. Farias and his supporters to adhere to common decency and appropriate regulations. Mr. Armas noted that Measure G intended to improve Hayward schools and asked voters to consider a \$58 annual parcel tax.

Mr. Edward Bogue, Poinciana Street resident, invited everyone to the Tip-A-Cop Fundraiser event at Applebee's in Southland Mall on May 24, 2012, from 6:00 to 9:00 p.m., and noted that the proceeds would benefit the Special Olympics.

Mr. Edward Crable, Central Boulevard resident, shared favorable comments made by his visiting daughters on how beautiful the City looked. Mr. Crable commended the Council for its accomplishments and encouraged continued efforts to provide a safe and beautiful place to live in Hayward.

WORK SESSION

1. FY 2013 & FY 2014 Recommended Biennial Budget Work Session #2 - Department Budget Presentations: Finance; City Manager's Office; Human Resources; City Attorney's Office; City Clerk's Office; Technology Services; and Library and Community Services

Staff report submitted by Finance Director Vesely, dated May 22, 2012, was filed.

City Manager David provided an outline for the evening's budget presentation and noted that on June 12, 2012, the Budget Work Session #4 would cover Community Agency Funding, Community Promotions, Arts and Music.

Finance Department

Finance Director Vesely provided a synopsis of the budget for her department which addressed staffing, accomplishments from FY 2012, goals for FY 2013 and 2014, and significant changes.

In response to Mayor Sweeney's inquiry about the vacant positions that were pointed out during the last audit, Finance Director Vesely noted that with the addition of an account manager and an accounting technician the Finance Department was fully staffed.

Council Member Henson requested staff ensure the City's investment portfolio was conservative considering tumultuous stock market conditions and he was delighted at the implementation of



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, May 22, 2012, 7:00 p.m.**

Positive Pay, a fraud detection program, and the development of the Environmentally Preferred Purchasing Policy. Mr. Henson commented that three years ago the City had met all five criteria prepared by Stopwaste.org for such a policy and noted there were advantages at the County level when such a policy was in place.

Council Member Halliday was glad that there will be a citywide Master Fee Study and a Business License Tax ordinance study and update, as part of the department's goals for FY 2013 and 2014. Ms. Vesely clarified that the goal pertaining to the "cashiering system" would involve working with the Development Services Department and looking at operations at the permit counter in order to improve service.

Human Resources Department

Human Resources Director Robustelli provided a synopsis of the budget for her department which addressed staffing, accomplishments from FY 2012, goals for FY 2013 and 2014, and significant changes.

Human Resources Director Robustelli explained for Council Member Henson the efforts being made on the self-funded Worker's Compensation Program by improving work safety initiatives and changing the way the City administers the program to reduce some administrative costs on the medical side. Mr. Henson was glad the department would be preparing the Diversity Study Report.

Council Member Salinas commended Human Resources Director Robustelli and the Human Resources team on the outstanding job with the negotiations with bargaining groups which resulted on the positive impact to the City's budget, and thanked Ms. Robustelli for her professionalism and ethics.

Mayor Sweeney concurred with Council Member Salina's comments and commended Human Resources Director Robustelli and her staff on her phenomenal job.

City Attorney Department

City Attorney Lawson provided a synopsis of the budget for his department which addressed staffing, accomplishments from FY 2012, goals for FY 2013 and 2014, and significant changes.

Council Member Henson thanked City Attorney Lawson for the reduction of outside counsel costs. In response to Mr. Henson, City Attorney Lawson explained the Public Records Act, the process and coordination for responding to requests, and noted that the City Clerk was the responsible official for responding to requests according to established guidelines.

Council Member Zermeño thanked City Attorney Lawson and staff for the efficiency and the reduction of outside counsel.

Council Member Halliday complimented the City Attorney for the excellent administration of resources, judicial advising to Council on status of claims, superb recommendations when cases go to trial, and exceptional management of Risk Management.

CONSENT

2. Approval of Minutes of the Special City Council/Redevelopment Successor Agency Meeting on May 8, 2012

It was moved by Council Member Peixoto, seconded by Council Member Henson, and carried unanimously to approve the minutes of the City Council Meeting of May 22, 2012.

3. New Sidewalks - Franklin Avenue, Harder Road, and Phillips Way: Approval of Plans and Specifications and Call for Bids

Staff report submitted by Assistant City Engineer Owusu, dated May 22, 2012, was filed.

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

Resolution 12-076, “Resolution Approving Plans and Specifications for the New Sidewalks – Franklin Avenue, Harder Road, and Phillips Way Project, Project No. 5176, and Call for Bids”

4. Summary Vacation of Remnant Right-of-Way and Land Exchange with the State of California for a Portion of Fourth Street Alignment

Staff report submitted by Surveyor Spore, dated May 22, 2012, was filed.

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

Resolution 12-077, “Resolution of the City Council of the City of Hayward Summarily Vacating a Portion of Fourth Street; Authorizing the City Manager to Execute a Grant Deed Transferring the Vacated Portion of Fourth Street to Caltrans; and Authorizing the City Manager to Execute a Certificate of Acceptance of the Grant Deed for the Caltrans Property”

5. Approving a Fourth Amendment of the Commercial Aviation Site Lease between the City and Hayward FBO LLC, and Authorizing the City Manager to Execute Said Amendment



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, May 22, 2012, 7:00 p.m.**

Staff report submitted by Airport Manager McNeeley, dated May 22, 2012, was filed.

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

Resolution 12-078, “Resolution Approving a Fourth Amendment to the Commercial Aviation Site Lease Between the City of Hayward and Hayward FBO LLC, and Authorizing the City Manager to Execute Said Amendment”

6. Adoption of Resolutions Approving Agreements Authorizing Participation in the Voluntary Employees Beneficiary Association (VEBA) Program between the City of Hayward and the Hayward Fire Officers IAFF 1909 and the Hayward Fire Chiefs Association

Staff report submitted by Human Resources Director Robustelli, dated May 22, 2012, was filed.

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

Resolution 12-079, “Resolution Approving an Agreement with the Hayward Fire Officers IAFF 1909, for Participation in the Voluntary Employee Beneficiary Association (VEBA) Plan”

Resolution 12-080, “Resolution Approving an Agreement with the Hayward Fire Chiefs, for Participation in the Voluntary Employee Beneficiary Association (VEBA) Plan”

7. Filing Nuisance Abatement/Municipal Code Violations with the County Recorder’s Office for Non-Abatable Code Violations

Staff report submitted by Neighborhood Partnership Manager Bristow, dated May 22, 2012, was filed.

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

Resolution 12-081, “Resolution Confirming the Report and Non-Abatable Code Violations and Penalties Lien List Associated with the Community Preservation Program”

PUBLIC HEARING

8. Appeal of the Planning Commission's Determination that a Proposed Walmart Market Grocery Store at a Building Formerly Occupied by Circuit City is not a Permitted Use Consistent with Conditional Use Permit No. PL-2004-0039 and the Proposed Grocery Store is not Consistent with the Previous Use in Terms of Potential for Generating Significant Environmental Impacts

Staff report submitted by Development Services Director Rizk, dated May 22, 2012, was filed.

Council Member Henson disclosed having met with members of labor organizations and with the owner of the Circuit City property, Daniel Temkin.

Council Member Salinas disclosed having met with Daniel Temkin, Walmart representatives, and members of United Food and Commercial Workers (UFCW) Local Union 5.

Council Member Peixoto disclosed having met with Daniel Temkin, Walmart representatives, and members of various labor union groups.

Council Member Halliday disclosed having met with Daniel Temkin, and Mike Henneberry of UFCW Local Union 5. Ms. Halliday also noted she was a Council candidate and did not solicit or accept any campaign contributions from any of the major parties involved, but accepted contributions from members of the public such as appellant Barbara Sacks. She added that she was advised by the City Attorney that she did not have to recuse herself from participation on the hearing.

Council Member Quirk disclosed he did not receive a request to meet with Daniel Temkin, but spoke with UFCW Local Union 5 representatives by telephone. Mr. Quirk noted he received financial contributions from individuals on both sides of the matter and a copy of his Campaign Statement would be available on the filing date, May 24, 2012. He referred to the letter submitted by Barbara Sacks and indicated that he had asked members at the Hayward Demos meeting and other members of the public to attend the public meetings. He added that he would base his decision on whether the proposed site was a regional or sub-regional use and not on who the applicant was.

Council Member Zermeño disclosed having met with Daniel Temkin, Walmart representatives, and labor members and leaders. Mr. Zermeño noted he did not receive contributions from any of the parties involved, but received contributions from the Hayward Demos and endorsements from labor unions.

Mayor Sweeney disclosed having met with two Walmart representatives, Daniel Temkin, John Nunes, and Mike Henneberry of UFCW Local Union 5. Mayor Sweeney added that at the beginning of the meeting he had met with the City Attorney, Daniel Temkin, and John Nunes to set ground rules. Both parties and their attorneys would be allowed to speak for five minutes each, and then all other speakers would be allowed to speak for two minutes each. There was Council consensus with the ground rules.



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, May 22, 2012, 7:00 p.m.**

Development Services Director Rizk provided a synopsis of the staff report. Mr. Rizk noted that Council was provided with additional correspondence from the public both in favor and against the proposal; a letter from Mark Wolfe with M.R. Wolfe & Associates, representing UFCW Local Union 5; and a letter from Kristina Lawson, representing Daniel Temkin and 880 LLC.

Development Services Director Rizk provided the staff's recommendation and added that if Council determined that the proposed Walmart Market grocery store was not consistent with the requirement of the Zoning Ordinance that limits retail uses at this site involving "the sale of retail goods with a regional or sub-regional marketing base," then the Council could direct staff to come back with findings for denial.

In response to Council Member Peixoto's question if Walmart had lost interest in occupying the proposed site, Development Services Director Rizk noted he was not aware of any changes and the hearing was being held at the request of the site's property owner, Daniel Temkin. Mr. Peixoto asked if the 2004 Conditional Use Permit (CUP) PL-2004-0039 was null and void, according to Section 10-1.3270 of the Zoning Ordinance. City Attorney Lawson noted there were state and federal constitutional provisions that override the Hayward Municipal Code, and if a use terminated for some reason, the CUP did not automatically default to a revoked status and the City would have to take action to revoke the CUP. Mr. Peixoto expressed concern about the negative elements that a grocery store would generate at the proposed site including increased traffic issues, air quality issues, and compliance with the regional or sub-regional marketing base.

Council Member Henson noted the "regional or sub-regional marketing base" needed to be clarified and defined. Mr. Henson expressed concern about the impact a grocery market would have on the traffic patterns at Whipple/Industrial Parkway. He pointed out that there would be significant loss of sales tax revenue with a grocery store, which would generate approximately \$32,000 per year as opposed to approximately \$200,000 per year from a store like Circuit City where all products were taxable.

Council Member Salinas suggested that Council hold the item over until staff returned to Council with the definition of a regional or sub-regional marketing base.

Council Member Quirk expressed concern that the proposed grocery store use did not take advantage of the freeway access and would not be a sales tax generating use. Mr. Quirk wanted to hear from the proponent as to why this was an appropriate use for the proposed site.

Council Member Halliday expressed concern that no additional conditions of approval were necessary for the proposal including the sale of alcohol, security conditions, and hours of operation. Ms. Halliday addressed sales and property tax revenue from the proposal.

Council Member Zermeño said he was uncomfortable making a decision when regional and sub-regional marketing base was not defined.

Mayor Sweeney opened the public hearing at 9:01 p.m.

Ms. Kristina Lawson, with Manatt, Phelps, & Phillips, LLP, and attorney representing Daniel Temkin and Hayward 880, LLC, noted the issue before Council was to determine if the proposed grocery store use was consistent with zoning requirements and the existing conditional use permit. Ms. Lawson added that Council needed to determine if the proposed use involved the sale of retail goods with a regional or sub-regional marketing base. She added that the City's precedent indicated that the grocery use would be consistent with the zoning requirements. Ms. Lawson urged Council to support staff's recommendation.

Mr. Daniel Temkin, property owner of the former Circuit City at 2480 Whipple Road and managing member of 880 LLC, in Washington, submitted two documents for the record: Land Use Compliance and Census 2010 Summary Profile, and thanked staff for their professionalism and the community for its support. Mr. Temkin referred to a May 14, 2012, newspaper article from the San Diego Daily Transcript, "Wal-Mart announces plans for second Neighborhood Market in county," which noted the opening of a WalMart in La Mesa and how it would generate economic activity for neighboring businesses. He added that Walmart markets were successfully filling up vacant store sites throughout California. He referred to a letter from John Nunes regarding a moratorium on supermarkets. Mr. Temkin urged Council to make a decision by following the land-use law and mentioned the definition of regional and sub-regional had been defined in the document he submitted for the record. Mr. Temkin responded to questions posed by Council members.

Mr. John Nunes, Livermore resident and representing UFCW Local Union 5 and its Hayward members, noted that a neighborhood market use did not comply with the industrial regional use. Mr. Nunes mentioned that a supermarket would generate more environmental impacts than the former Circuit City including traffic impacts, increase noise levels, and air quality impacts. Mr. Nunes suggested that the applicant be required to obtain a new conditional use permit and complete additional environmental review. He cited Section 10-1.3270 of the Zoning Ordinance and noted that the conditional use permit was a discontinued use because the proposed site had been vacant since 2009. Mr. Nunes urged Council to deny the appeal and uphold the Planning Commission's decision. Mr. Nunes responded to questions posed by Council members.

Mr. Marc Wolfe, San Francisco attorney and representing UFCW Local Union 5, urged Council to deny the proposed application without prejudice and have the applicant reapply for a neighborhood store use with a zone change that could also clarify the definition of regional and sub-regional marketing base. Mr. Wolfe thought that the Zoning Ordinance permits a supermarket as a primary use in the Neighborhood Commercial Zoning District and as a secondary use in the Regional Commercial District. He added that if the store was a regional use, then it would be a significant traffic impact that would require a California Environmental Quality Act (CEQA) review, and if not, then it would be neighborhood serving and not permissible under the Zoning Ordinance.

The following individuals spoke in support of approving a Walmart Market Grocery Store at a site occupied by Circuit City for the following reasons: help surrounding small business survival; create



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, May 22, 2012, 7:00 p.m.**

an affordable market for seniors and others on fixed income; fill vacant building; create local jobs; deter graffiti and crime; increase tax revenue; revitalize small businesses; create a friendly business community; in fairness to the land owner; potential for employees unionizing; support Shop Hayward First campaign; help bring more businesses to Hayward; support economic development; and provide an alternative shopping location.

Etenesh Benti, owner of Quiznos on Whipple Road and Hayward resident
Jerry Higgins, resident of Spanish One in Hayward
Philip Lehrman, Armour Street resident
Margie Sparaco, Armour Street resident was in favor but declined to speak
Greg Warn, Danville resident and owner of Crescent Truck Lines
Roy Gordon, Stanhope Lane resident
Stephanie Skaggs, San Leandro resident
Ralph Farias Jr., Belmont Avenue resident
Kim Huggett, President of the Chamber of Commerce
Barbara Sacks, Spanish Ranch One Mobile Home Park resident
Roxanne Stone, San Jose resident and owner of Wing Stop at Whipple Road
Linda Bennett, Hayward resident
Brian Schott, Morse Court and Chamber of Commerce member
Sanjiv Patel, Mission Boulevard resident and small business owner
Terry Swartz, Verando Circle resident and Council Economic Development Committee member
Robert Lutz, Harpoon Way resident

The following individuals spoke in opposition of approving a Walmart Market Grocery Store at the site formerly occupied by Circuit City for the following reasons: worst corporate employer; does not pay living wage and subsidize healthcare; impact to the local economy; unethical and dishonest corporation; majority of associates are part-time employees, 40% of associates depend on some form of aid; less than 20% of grocery sales are taxable; traffic impact to surrounding businesses; increase in greenhouse gas emission; Zoning Ordinance regulation; supermarket is a primary land use in the Neighborhood Commercial Zoning District; does not support local-owned business; there are plenty of grocery stores in the area; diminish quality of life; magnet for crime; environmental impact; social impact; corporate bribery and overcharging, and unacceptable legal labor practices

Mike Machado, Albany resident and member of UFCW Local 5
Mike Howey, Poplar Avenue resident
Rebecca Novak, Willow Avenue resident
Paul Novak, Willow Avenue resident
John Roe, Danville resident, member of UFCW Local 5, and Hayward native. Mr. Roe noted the passing of Anthony Barosa, a Hayward native and the owner of Golden Bay Title on Foothill Boulevard.
Misty Tanner, Mission Boulevard resident and former Walmart Assistant Manager
Simone Monk, Birch Street resident

Carol Sturholm, El Dorado Avenue resident
Desire Schmidt, Willow Avenue resident
Jennifer Lough, Isabella Street resident
Louis Howey, Poplar Avenue resident
Liz Gonzales, Hayward resident
Cindy Pringle, Sunset Boulevard resident
Rich Fierro, Hayward resident
Mike Allen, Cottonwood Street resident
Robert Seitz, Main Street resident
Josie Camacho, Oakland resident and member of Alameda Labor Council
Cassandra Hunter, Blossom Way resident
Mary Bergan, Oakland resident
Josie Sutton, Jane Avenue resident
Manuel Rotinho, Cathy Way resident
Silvia Brandon Perez, Wingate Way resident
Jennifer Ong, Whittington Lane resident, spoke as a small business owner and a member of the Chamber of Commerce
LaVonne Gallo, New England Mobile Home Park resident
Ellis Goldberg, Danville resident
Gail Herrera, Union City resident
Charlie Peters, Main Street resident
Tom Wetzel, High Street resident
Jaime Reyes, Union City resident

The following individuals submitted speaker cards, but were not present when their names were called: Jean Powers, Sonya Taylor, Walter Nieman, Mark Taylor, Jeannie Powers, Cathy Conner, Mindy Davis, and Evelyn Cormier.

Mayor Sweeney closed the public hearing at 11:24 p.m.

Council Member Quirk thanked the audience and the speakers who expressed their opinions on the matter. Mr. Quirk noted that when 80 percent of the traffic is coming from a place other than the freeway, it is not regional or sub-regional marketing base. Mr. Quirk added that the property owner could come back with a new use permit or take the reference to regional and sub-regional restriction out.

Mr. Quirk offered a motion to uphold the Planning Commission's decision that a proposed Walmart Market Grocery Store at the site occupied by Circuit City is not a permitted use consistent with Conditional Use Permit No. PL-2004-0039; deny the application without prejudice; invite the applicant to come back with an application for a supermarket; direct staff to bring back findings of denial based on the record and commentaries; and direct staff to bring back a definition for regional and sub-regional that would apply to the anchor store in a development.

City Attorney Lawson clarified that the Zoning Ordinance would need to be amended to define regional or sub-regional serving uses, which would need to be heard by the Planning Commission.



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, May 22, 2012, 7:00 p.m.**

Council Member Quirk clarified his motion by noting it consisted of three parts: upholding the Planning Commission's decision; directing staff to bring back findings of denial based on the record; and defining regional and sub-regional marketing base following necessary procedures.

Mayor Sweeney seconded the motion on the floor.

Council Member Henson expressed preference for defining regional or sub-regional marketing base before taking further action on the proposal. Discussion ensued to clarify the motion.

Council Member Halliday stated she would not patronize Walmart because it was not a corporate citizen, but she supported the proposal based on the need to fill vacant buildings during tough economic times, on the numerous letters that Council received in support of a grocery store, and the investment that Mr. Temkin had made to the property and Hayward. Ms. Halliday noted that the City needed to support strengthening laws that require employers to pay a living wage and provide benefits. Ms. Halliday concurred with the staff's recommendation and did not support the motion.

Council Member Salinas concurred with Council Member Halliday that the building had been vacant for a long time, that economic development must be supported, that Mr. Daniel Temkin had maintained his property and invested in Hayward. Mr. Salinas urged his colleagues to empathize with Mr. Temkin and help small business owners stay open. Mr. Salinas agreed with Council Member Halliday that the proposed use was appropriate and he did not support the motion.

Council Member Zermeño thanked all in attendance and he acknowledged the union's point of view, but also noted the need for Hayward to attract, support businesses, rebuild the tax base, and be consistent when approving businesses. He mentioned the overwhelming number of correspondence that he received in support of the proposal from residents, some of whom were on fixed income. Mr. Zermeño said he did not support the motion.

Council Member Peixoto mentioned that in the absence of a definition for regional and sub-regional marketing base, the Council must use common sense. Council Member Peixoto noted that regional meant when people travel from outside a city to patronize a business, and grocery stores were neighborhood serving entities and therefore could not be considered a regional and sub-regional use. He noted the applicant's request was not consistent with the existing 2004 Conditional Use Permit (CUP) and in accordance with the Zoning Ordinance this CUP should be null and void. He added that the proposed grocery store use posed significant environmental impacts due to traffic and greenhouse gas emissions. Mr. Peixoto added that the Planning Commission did due diligence in its decision and this was a land-use issue. Mr. Peixoto said he supported the motion.

Council Member Henson pointed out the item before Council was a land use. Mr. Henson empathized with Daniel Temkin and the small business owners. Council Henson recommended the addition of a "without prejudice" clause to the motion, which would enable the applicant to return

and reapply for a grocery store use and also give staff time to return to Council with a definition of regional and sub-regional marketing base.

Council Member Quirk accepted the addition of “without prejudice,” to his motion and Mayor Sweeney seconded the motion.

It was moved by Council Member Quirk, seconded by Mayor Sweeney, and carried with the following vote, to uphold the Planning Commission’s decision that a proposed Walmart Market Grocery Store at Circuit City is not a permitted use; to direct staff to bring back findings for denial and include a “without prejudice clause,” which would not preclude the applicant from resubmitting an application that would be consistent with an allowed use at the proposed site; and direct staff to define regional and sub-regional marketing base.

AYES: Council Members Quirk, Peixoto, Henson
MAYOR Sweeney
NOES: Council Members Zermeño, Salinas, Halliday
ABSENT: None
ABSTAINED: None

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Zermeño noted that May 23, 2012, was “National Arbor Day,” and invited folks to participate by attending events held at Ruus Elementary School.

ADJOURNMENT

Mayor Sweeney adjourned the meeting at 12:17 a.m.

APPROVED:

Michael Sweeney, Mayor, City of Hayward

ATTEST:

Miriam Lens, City Clerk, City of Hayward

DATE: June 12, 2012
TO: Mayor and City Council
FROM: City Clerk
SUBJECT: Resignation of Gurjit Kaur from the Personnel Commission

RECOMMENDATION

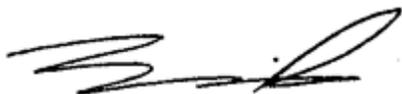
That the City Council accepts the resignation of Gurjit Kaur from the Personnel Commission.

BACKGROUND

Ms. Gurjit Kaur was appointed to the Personnel Commission on September 14, 2010. Ms. Gurjit Kaur's resignation is effective May 24, 2012. Ms. Gurjit Kaur's position will be filled as part of the annual appointment process for the City's Appointed Officials to Boards and Commissions.

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:



Fran David, City Manager

Attachments:

- Attachment I Resolution
- Attachment II Resignation Letter

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION ACCEPTING THE WRITTEN RESIGNATION OF GURJIT KAUR FROM THE PERSONNEL COMMISSION;

WHEREAS, Ms. Gurjit Kaur was appointed to the Personnel Commission on September 14, 2010;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Council hereby accepts the resignation of Gurjit Kaur; and commends her for her civic service to the City.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012.

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

Letter of Resignation

City Of Hayward

To Miriam Lens:

I am writing this letter to inform you that I will no longer be capable of serving on the Personnel Commission Committee starting immediately. Although I have greatly enjoyed my time with the commission and will always remember this part of my career, sadly due to my relocating I will not be able to uphold my time with the city of Hayward.

However, if I can be of any service that does not require my full schedule I will gladly help and would love to have the opportunity to volunteer.

Thank You

Gurjit Kaur

Gurjit Kaur

DATE: June 12, 2012

TO: Mayor and City Council

FROM: Assistant City Manager

SUBJECT: Downtown Business Improvement Area Annual Report and Proposed Budget for FY 2013

RECOMMENDATION

That the City Council accepts the Downtown Business Improvement Area “Annual Report and Proposed Budget for FY 2013”, and adopts the attached resolution setting a public hearing for June 26, 2012 to consider the Annual Downtown Business Improvement Area levy.

BACKGROUND

Hayward’s Downtown Business Improvement Area (“DBIA”) was established by the City Council in 1984. The DBIA’s purpose is to promote the economic revitalization and physical improvement of the downtown business district and to attract new business to the downtown.

The DBIA Advisory Board’s Annual Report and Proposed Budget for FY 2013 are attached to this report as Attachment I. The Annual Report is mandated by the State-enabling legislation. The Annual Report is required to discuss a variety of topics concerning boundaries, levy rates, business classifications, recommended funding from the DBIA levy, and other sources. It also recommends the DBIA activities for the upcoming fiscal year.

The DBIA’s boundaries and levy rates are shown on Attachment I (a) of the Annual Report. This area includes more than 500 holders of Hayward business licenses. Within it are three benefit zones, each with different levy rates. State law requires that levy rates relate to the amount of benefit derived by the businesses being assessed. Zone 1A, which was adopted by City Council in FY 2001-02, is in the downtown core and has the highest rates, followed by Zone 1 and Zone 2. The amount of assessment fees paid by business owners is determined by the following factors: type of business; the geographic location of the business in the business improvement area; and the amount of the business’ gross receipts. However, businesses classified as “Professional Service and Miscellaneous Non-Retail” pay a flat fee ranging from \$75 to \$200 per year depending on location. Retail business owners pay between \$75 and \$500 per year, depending on the factors noted above.

Every year, the DBIA Advisory Board recommends to the City Council an annual budget to fund activities in the following categories: (1) promotions, which include “Summer Street Parties,” Light up the Season and the Santa Paws Parade, banners, and promotional activities; (2) communications with DBIA members; and (3) sidewalk steam cleaning. The amount of DBIA assessments collected is impacted by business closures, and business owners unwilling or unable to pay the assessment fee. When the economy is strong and businesses are thriving, the level of DBIA assessment fees collected had been as high as \$55,000 annually. In FY 2009, assessment fees collected began to decline to \$52,314 and in FY 2011 to a low of \$44,037. As of May 16, 2012, \$51,575.50 in assessment fees have been collected and the Revenue Department estimates up to \$54,000 will be collected by the end of June 2012. This increase is perhaps indicative of an improving economy with businesses better positioned to pay the assessment fee and new businesses locating in the DBIA territory.

In past years, the DBIA’s reserve fund has grown to an estimated balance of \$122,400. The reserve fund accumulates based on fees collected in excess of budgeted amounts, or if services planned are not delivered. This could include items such as pressure washing services interrupted by sidewalk construction, fewer banners hung because of broken or missing hardware, and/or fewer funds spent than budgeted for holiday events.

The assessment fee invoice and a brochure describing the services provided by the DBIA are mailed out annually in late December or early January with business license renewal applications (see Attachment II: Brochure). Business owners who do not pay the DBIA assessment fees in a timely manner are sent a demand letter in April. By June or July, if assessment fees are not paid, businesses receive a past due letter with a 10% penalty. Businesses that have not paid fees are reported to a private collection agency who attempts to collect the fees.

DISCUSSION

Recognizing the potential loss of Redevelopment Agency funds, the DBIA Advisory Board recommended and the City Council approved two FY 2012 budgets, one with a Redevelopment Agency contribution of \$55,000 and one with only DBIA assessment fees at \$55,000. The loss of Redevelopment Agency funds has had a significant impact on services that can be provided to DBIA businesses. It should also be noted that, at no cost to the DBIA, Redevelopment Agency staff have administered DBIA contracts, convened quarterly and special meetings, and met the regulatory requirements of the DBIA. In addition, at no cost, staff has managed holiday festivities, which have included “Light Up The Season” and the Santa Paws Parade. In addition, the City’s Revenue Department, at no cost to the DBIA, handles annual billing and collections.

The proposed FY 2013 budget is below and mirrors the FY 2012 budget approved with and without the inclusion of redevelopment funds. The impact of budget reductions is more fully described in the Annual Report.

Proposed Budget FY 2013

Revenues	With RDA Funds	Without 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

FISCAL AND ECONOMIC IMPACT

The elimination of Redevelopment Agencies severely impacts the level of services offered in the DBIA assessment area. The DBIA Advisory Board currently maintains a healthy budget reserve of approximately \$122,400. Over the course of the next year, the DBIA Advisory Board will evaluate the most strategic use of the limited funds, and consider use of the budget reserve to achieve their vision and goals of maintaining a clean, safe, and inviting downtown environment. The DBIA Advisory Board will also seek input from the DBIA membership to ensure that budget priorities best reflect desired services.

PUBLIC CONTACT

The DBIA Advisory Board met on the following dates during FY 2012: July 6, 2011; October 5, 2011; January 19, 2012; March 1, 2012, and April 4, 2012. These regularly scheduled meetings and the addition of special meetings, allowed the DBIA board to hear updates on the dissolution of the Redevelopment Agency, and to develop and approve a FY 2013 budget. On March 1, 2012, a quorum of the DBIA Advisory Board adopted a motion approving the proposed FY 2013 budget.

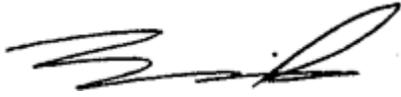
NEXT STEPS

The attached resolution sets a public hearing date of June 26, 2012 to consider the FY 2013 DBIA Levy.

Prepared by: Gloria Ortega, Redevelopment Project Manger

Recommended by: Kelly McAdoo Morariu, Assistant City Manager

Approved by:



Fran David, City Manager

Attachments:

Attachment I: Annual Report and Proposed Budget for FY 2013

Attachment II: DBIA Brochure

Attachment III: Draft Resolution

**DOWNTOWN BUSINESS IMPROVEMENT AREA
ANNUAL REPORT AND PROPOSED BUDGET FOR FY 2013**

BACKGROUND:

The Downtown Business Improvement Area (DBIA) was established in 1984. State law requires that an Advisory Board, appointed by City Council, submit an Annual Report identifying the activities, budget, boundaries, and proposed assessments to businesses within the Improvement Area. The report may propose changes, including such items as the boundaries or benefit zones within the area, the basis and method of levying the charges, and any changes in the classification of businesses. The City Council may approve the report as submitted by the Advisory Board or may modify any particular item contained in the report and approve the report as modified.

STATEMENT OF ACTIVITIES AND ACCOMPLISHMENTS FOR FISCAL YEAR 2012:

The DBIA's activities during the current fiscal year were funded by Business Improvement Area assessments, and uncertain contributions from the Redevelopment Agency and fund balance reserves from prior fiscal years. As part of the FY2012 budget planning process, the DBIA approved two budgets, one with Redevelopment Agency Funds and one without. The DBIA revenues funded the following categories:

- 1) Promotions and Events: Summer Street Parties and Light Up the Season;
- 2) Downtown Banners: maintenance and rotation of banners located in the DBIA boundaries;
- 3) Newsletters: quarterly communications with DBIA members regarding events, City programs and other relevant news;
- 4) Sidewalk Cleaning: pressure washing DBIA area sidewalks.

In all categories, staff entered into contracts that were contingent upon receipt of Redevelopment Agency funds with services to be reduced if funding was eliminated.

FY 2012 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

ACTIVITIES AND ACCOMPLISHMENTS FOR FISCAL YEAR 2012:

All major activities planned for FY 2012, have been, or are scheduled to be, accomplished by the end of the fiscal year and include the following:

Summer Street Parties

\$30,000

Summer Street Parties are organized by the Hayward Chamber of Commerce (“Chamber”) under contract to the DBIA. The Chamber held three Thursday night Summer Street Parties beginning in June, July and August plus a Saturday Art and Wine Festival. June Street Parties are paid for out of the current fiscal year budget. Therefore, the June 2012 Street Party is paid for from this budget allocation.

Light Up The Season

\$12,143.65

This year’s budget for Light Up The Season and Santa Paws Parade was reduced from last year’s budget of \$22,000. With the uncertainty regarding the loss of Redevelopment Agency funds, staff, worked to reduce cost for both events. The Chamber who assisted staff in booking entertainment, limited the number of groups to perform. In addition, holiday festivities were limited to B Street from Mission Blvd. to City Hall Plaza. Sold out activities included the skate rink and pictures with Santa. Tickets for the skate rink sold out early, even though an extra hour of skate time was added. Children not able to skate took advantage of the train ride, spinning tea cups, and a jump house. Costs were off-set by \$558 collected from skate rink ticket sales.

Santa Paws Parade

The Santa Paws Parade, which was held in conjunction with the Light Up the Season on Saturday, December 3, was by far our most successful parade. The goals of the event were to increase the visibility of downtown as a fun place for pet owners, increase the visibility of the Farmers Market, raise funds for the Hayward Animal Shelter’s homeless animals, and to increase awareness of volunteer opportunities. This year 109 registered pets participated, mostly dogs, however, a miniature horse ridden by a small dog (recently featured on America’s Got Talent), and a Christmas pig also participated. The majority of pets participating reside in Hayward; however, they were joined by pets from Castro Valley, Oakland, San Leandro, Union City, Jackson, Redwood City, San Jose, San Lorenzo and Oakley. Awards were given out in the following categories: best dressed pet; holiday dressed pet; owner & pet look- alike; group entry; just plain cute pet; and the best holiday float

Our media partner KTVU Channel 2, provided free coverage for two consecutive weeks on KTVU, TV36 and online streaming on OTVU & OICU. The Daily Review and the Tri-Valley News also provide event coverage. Television coverage not only advertised the parade but increased visibility of the City of Hayward.

Utilizing a web-based registration/fundraising website, the event raised \$4,000+ (up from the \$2,000 raised the previous year.) This year for the first-time, four businesses from Hayward participated as vendors along with businesses from Castro Valley and San Leandro. The event also attracted more than 50 volunteers of all ages, including some employees from downtown businesses.

Banners Rotation, Maintenance & Replacement **\$5,835**

With the loss of Redevelopment Agency funds banner rotations were reduced from four rotations to two and included the “Holiday” banners and the current “Celebrating Hayward Performing Arts”.

DBIA Communications/Newsletters **\$1,600**

With the loss of Redevelopment Agency funds the DBIA newsletter was reduced from four quarterly newsletters to one.

Sidewalk Cleaning **\$12,097**

The schedule of sidewalk pressure washing was halted after the loss of Redevelopment Agency funds. With Redevelopment Agency funds, the entire DBIA was scheduled for pressure washing in late spring with a second cleaning in early fall. Available funds did allow for six months of spot cleaning three times a week for two hours on B Street from Foothill to Watkins. In addition, City Hall plaza was pressure washed once a month in support of the Farmers Market Activity on the Plaza.

The Annual Report addresses the following six topic areas:

1. PROPOSED BIA BOUNDARY CHANGES DURING FY 2013

The Advisory Board is proposing no changes to the boundaries at this time.

2. STATEMENT OF PROPOSED BUDGET AND ACTIVITIES FOR FY 2013

Fiscal year 2013 will be a transition year for the DBIA, as it will be the first year that the budget will not include Redevelopment Agency contributions. The loss of Redevelopment Agency contribution decreases the funds available to pay for services by fifty percent (50%). As of May 16, 2012, \$51,575.50 in assessment fees have been collected and the Revenue Department estimates up to \$54,000 will be collected by the end of June 2012. The proposed DBIA budget is \$55,000 with \$54,000 coming from assessments and \$1,000 from reserves. If the amount of assessment fees collected is higher than \$54,000 the amount used from reserves will decrease. The services recommended by the DBIA Advisory Board were guided by their “mission/vision” statement: *“To create a safe, clean, and inviting downtown environment that supports existing businesses, attracts new businesses, and increases the number of downtown visitors.”*

During the course of the year, staff will work with the DBIA Advisory Board to get input from business owners to determine, given limited funds, what they identify as service priorities.

2013 DBIA Budget

REVENUES	FY 2013
DBIA Assessments	\$ 54,000
Estimated Reserve	\$ 1,000
Total Revenues	\$ 55,000
EXPENSE ITEM	
Summer Street Parties	\$22,500
Light Up The Season	\$9,300
Decorative Banners	\$3,400
DBIA Communications/Newsletters	\$5,500
Sidewalk Cleaning Contract	\$14,300
Total Expenses	\$ 55,000

PROPOSED ACTIVITIES FOR FISCAL YEAR 2013:

Summer Street Parties **\$22,500**

Three Street Parties were approved which will be held in July, August and September. The June Street Party will be for from FY 2011 funds.

Light Up The Season **\$9,300**

With limited funds available holiday activities will be concentrated in and around City Hall. The event will continue to focus on family-oriented activities.

Decorative Banners: **\$3,400**

Banner rotation will be limited to one rotation. Upon completion of RT 238 construction and placement of new light poles, staff will seek input from the DBIA Advisory Board regarding location of banners. It is possible that the number of banners hung will be reduced, funds available will only, at most, allow for one banner rotation. A determination of which banners best reflect the image of downtown and the City will be selected from the four sets of banners of the current banner program.

RT 238 will replace banner hardware on the light poles replaced as a result of the RT 238 project. Banner hardware not replaced by the RT 238 project is aging and in need of replacement. Replacement of this hardware will be part of the FY2014 budget discussion. In the past, replacement of banners or other one-time costs have come from budget reserves.

DBIA Communications/Newsletters: **\$5,500**

These funds will be reserved for newsletter and other forms of communications with business owners in the assessment district, and could include outreach strategies to obtain input from business owners.

Sidewalk Cleaning Contract:

\$14,300

This budget reduction from \$31,040 will result in a significant reduction of pressure washing services in the downtown, which included “spot” cleaning of B Street, to two-times weekly from Foothill Blvd. to Watkins Street, steam cleaning of City Hall Plaza monthly in exchange for on-going Farmers Market; pressure washing of decorative garbage cans twice yearly, and pressure washing of the entire DBIA twice yearly. The current budget will be limited to pressure washing of the DBIA twice yearly. . With new sidewalks (as a result of RT238) in a large area of the downtown, the twice a year, pressure washing will help maintain the sidewalks.

3. PROPOSED BUDGET EXPENDITURES 2013

The total proposed budget for FY 2013 is \$55,000.

4. PROPOSED METHOD AND BASIS FOR LEVYING DBIA ASSESSMENTS

The DBIA zones and levy (fee structure) are indicated on Attachment I-(a) of this report. No changes are proposed at this time.

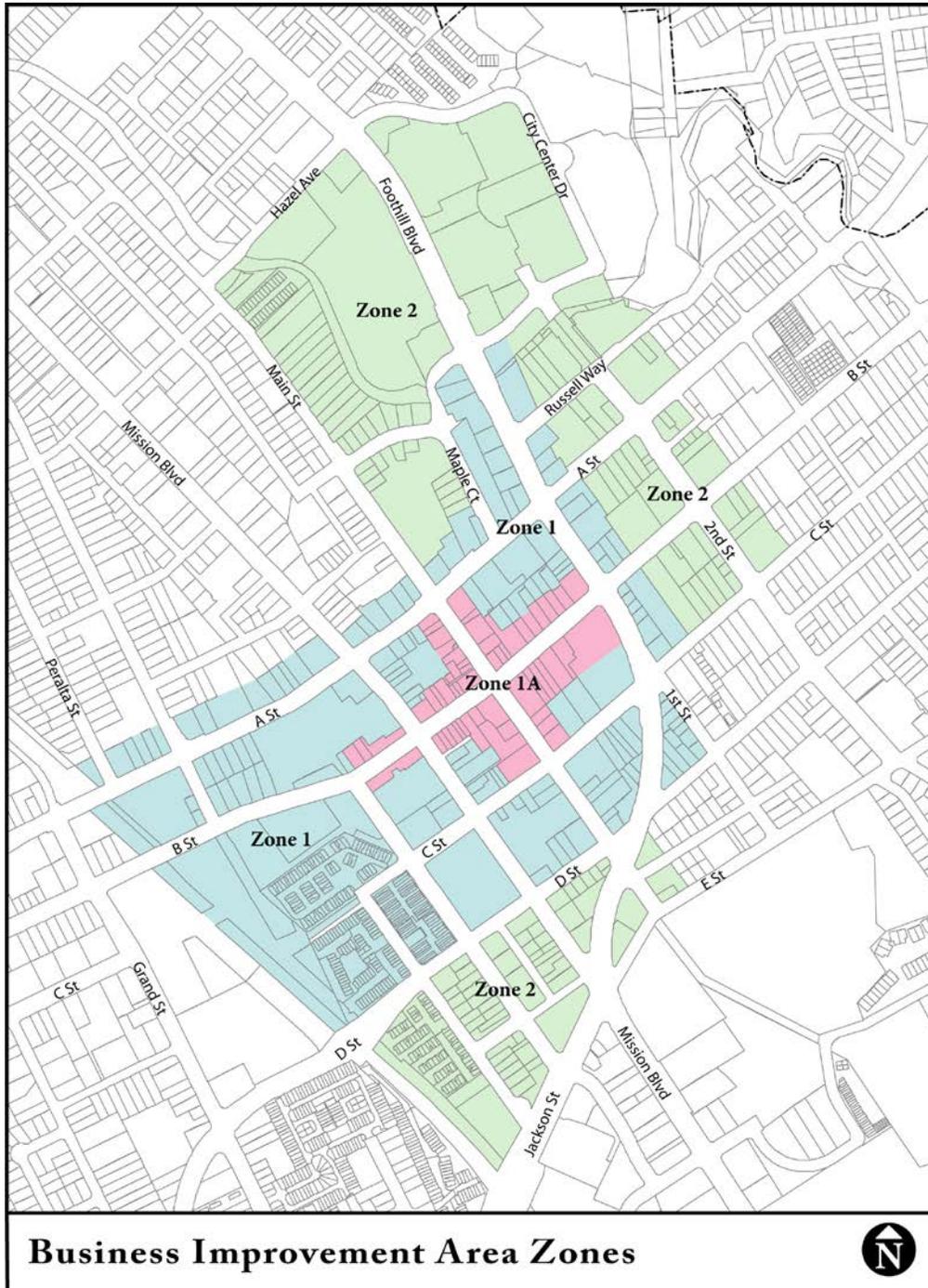
5. CONTRIBUTIONS FROM OTHER SOURCES

None

6. CLOSING STATEMENT OF THE BOARD

The DBIA Advisory Board will seek input from downtown merchants to ensure that limited funds best reflect their priorities for downtown services.

Business Improvement Area Zones



Services	Zone 1A	Zone 1	Zone 2
Banners	√	√	√
Holiday Wreaths	√		
Street Parties, LUTS, Parade, etc.	√		
Side Walk Cleaning (Twice)	√	√	√
Side Spot Cleaning (B St – 2x Weekly) - TBD			
BIA Members Communications	√	√	√

BIA FEE STRUCTURE

All businesses classified as PROFESSIONAL SERVICE AND MISCELLANEOUS NON-RETAIL which are located in **Zone 1A** shall pay a flat fee of \$125.00 per year. **Zone 1** is a flat fee of \$75.00 per year.

All businesses classified as FINANCIAL which are located in **Zone 1A** shall pay a flat fee of \$325.00 per year. **Zone 1** is a flat fee of \$200.00 per year.

All businesses classified as PROFESSIONAL SERVICE AND MISCELLANEOUS NON-RETAIL which are located in **Zone 2** shall pay a flat fee of \$75.00 per year.

All businesses classified as FINANCIAL which are located in **Zone 2** shall pay a flat fee of \$200.00 per year.

All businesses classified as RETAIL shall pay an assessment based on the following gross receipts schedule:

GROSS RECEIPTS	ZONE 1A	ZONE 1	ZONE 2
Less than \$100,000	\$145.00	\$120.00	\$90.00
\$100,001 - \$150,000	\$175.00	\$150.00	\$115.00
\$150,001 - \$200,000	\$205.00	\$180.00	\$135.00
\$200,001 - \$300,000	\$255.00	\$230.00	\$175.00
\$300,001 - \$400,000	\$305.00	\$280.00	\$210.00
\$400,001 - \$500,000	\$355.00	\$330.00	\$250.00
\$500,001 - \$750,000	\$425.00	\$400.00	\$300.00
\$750,001 - \$1,000,000	\$495.00	\$400.00	\$300.00
\$1,000,001 and up	\$525.00	\$400.00	\$300.00

Business Improvement Area Activities

The Downtown Hayward Business Improvement Area (BIA) District generates funding for a variety of downtown promotional events, activities and beautification projects. The goal of the BIA is to promote Downtown Hayward as a destination for shopping, dining, entertainment and more. In the past BIA funds have been allocated to promote the downtown in the following manner:

Downtown Events: BIA fees help pay for summer street parties and seasonal events designed to attract people to the downtown and City-at-large. In the past these events have included the Summer Street Parties and Light Up the Season.

Downtown Hayward Banners: Seasonal banners are located throughout the downtown and are changed four times a year. These banners are periodically replaced with updated images.

Communications: BIA fees pay for quarterly newsletters informing business owners of the latest downtown news and events impacting them and their customers.

“Clean & Safe” Strategies: The City, with input from the BIA Advisory Board, have adopted a number of “Clean & Safe” strategies which include increased sidewalk steam cleanings, improved street lighting, and new garbage cans.



Downtown Hayward Business Improvement Area

OFFICE OF THE CITY MANAGER
777 B Street, Hayward, CA 94541-5007
Tel: 510/583-4260 Fax: 510/583-3650

What is a Downtown Business Improvement Area?

A Business Improvement Area (BIA) is an assessment district approved by the City Council to perform approved downtown promotional and improvement tasks within its adopted boundaries. The Hayward City Council approved our district in 1985.

All businesses within the district are assessed a mandatory fee that contributes to funding of promotional events and activities in Downtown Hayward. This fee is payable to the City at the beginning of each calendar year. A business may pay from \$75 to \$500 per year, depending on its location and the type of business.

These funds are used to:

- ❖ Organize special events;
- ❖ Assist in the beautification of downtown streets and public places;
- ❖ Purchase and install decorative banners to create a sense of place for the downtown;
- ❖ Develop positive marketing campaigns to promote the Downtown;
- ❖ Foster communication regarding activities and development in the Downtown area through Merchant Newsletters.

The BIA Advisory Board, a 9-member board appointed by the City Council, provides guidance on the expenditure of these funds. For additional information about the BIA Advisory Board, please contact Gloria Ortega, Redevelopment Project Manager at (510) 583-4260.

Downtown Business Improvement Area

The Downtown BIA is divided into three zones as shown: Zone 1, Zone 1A, and Zone 2.

Street	Zone 1	Zone 2
A Street	636-1099	1100-1229
Atherton St	22660-22799	22800-22999
B Street	630-804	1131-1229
	1091-1130	
C Street	700-1099	1100-1224 <small>even</small>
City Center Dr		22001-22399 <small>odd</small>
D Street	700-1098 <small>even</small>	701-1029 <small>odd</small>
First Street	22701-22799 <small>odd</small>	
Foothill Blvd	22380-22694	22253-22370
	22696-22803	22805-22899
Hazel Ave		1101-1199 <small>odd</small>
Jackson St		790-898 <small>even</small>
Main St	22500-22506	22192-22498 <small>even</small>
	22697-22777	22778-22899
Maple Ct	22400-22498 <small>even</small>	22401-22499 <small>odd</small>
McKeever Ave		1000-1099
Mission Blvd	22484-22799	22800-22899
Montgomery Ave	22500-22599	
Richard Place		1207-1217
Russell Way		1100-1261
Second Street		22300-22699
Watkins Street	22500-22799	22800-22999
Willis Avenue		700-899

Street	Zone 1A
B Street	805-1090
Foothill Blvd	22695
Main Street	22507-22696

Fee Structure

The fee structure that applies to each of these business classifications is shown on the annual BIA assessment that is issued by the City's Revenue Division. Please direct any billing inquiries to Teresita Ang at (510) 583-4630.

Business Classifications

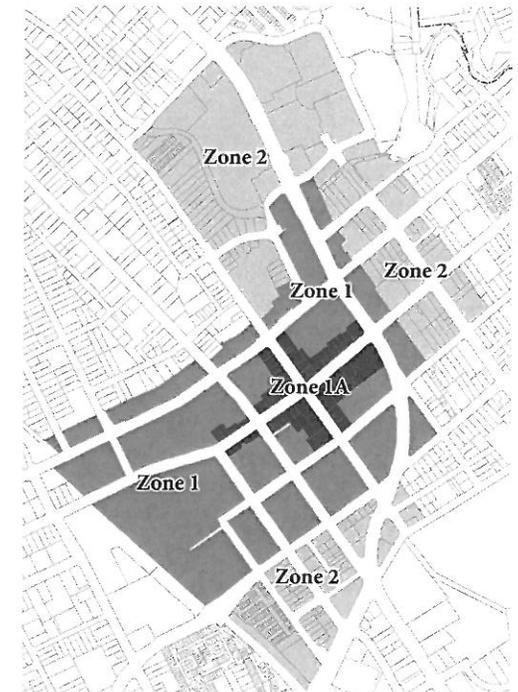
Professional Businesses include, but are not limited to accountants, architects, attorneys, chiropractors, consultants, dentists, designers, engineers, optometrists, osteopaths, physicians, surgeons, and veterinarians.

Service Businesses include, but are not limited to, bail bondsmen, barber and beauty shops, contractors, dry cleaners, employment agencies, hospitals, investment brokers and agents, locksmiths, radio and television repair, real estate brokers and agents, schools, secretarial services, shoe repair, and travel agencies.

Financial Businesses include, but are not limited to, banks and Savings & Loan institutions.

Miscellaneous Non-Retail Businesses include, but are not limited to, apartments, auto repair, card clubs, home operations, hotels/motels, interior designers, mortuaries, office buildings, photographers, taxicabs, and theaters.

Retail Businesses are those which do not fall into any of the above classifications.



HAYWARD CITY COUNCIL

RESOLUTION NO. RA _____

Introduced by Council Member _____

RESOLUTION ACCEPTING ANNUAL REPORT AND
DECLARING INTENTION TO LEVY ANNUAL CHARGES
FOR THE DOWNTOWN HAYWARD BUSINESS
IMPROVEMENT AREA FOR THE FISCAL YEAR 2013
AND PROVIDING FOR NOTICE OF HEARING THEREON

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

1. On September 18, 1984, the City Council established the Downtown Hayward Business Improvement Area pursuant to section 36500 et seq. of the Streets and Highways Code of the State of California, which was commonly known as the Parking and Business Improvement Area Law of 1979 and, as now codified, is commonly known as the Parking and Business Improvement Law of 1989.

2. The Advisory Board for the Downtown Hayward Business Improvement Area prepared an annual report for the fiscal year July 1, 2011 to June 30, 2012, on behalf of the Downtown Hayward Business Improvement Area pursuant to section 36533 of the California Streets and Highways Code, which report, on file in the office of the City Clerk, is hereby accepted by the City Council. Said report may be referred to for the particulars as to the detailed descriptions of improvements and activities to be provided, the charges to be levied, the benefit zones within the area, the proposed charges to be levied on businesses, and exact boundaries of the area.

3. It is the intention of the City Council to levy and collect the charges within the Downtown Hayward Business Improvement Area for the fiscal year 2011 as set forth in the annual report or such report as hereafter modified. The charges may be used for parking facilities serving the area, decoration or music or advertising public events in public places in the area, and to promote business activities in the area. The area is generally described on the map attached hereto as Attachment III-a.

4. Notice is hereby given that Tuesday, June 21, 2011, at the hour of 7:00 p.m., in the regular meeting place of this City Council, 777 B Street, Hayward, California, a hearing will be held on the question of the levy of the proposed charges, at which time written and oral protests may be made in compliance with sections 36524 and 36525 of the Streets and Highways Code.

5. The City Clerk shall cause notice of hearing to be given by publishing a copy of this resolution in The Daily Review, a newspaper published and circulated in the City of Hayward, at least seven days prior to the date of the hearing specified above.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

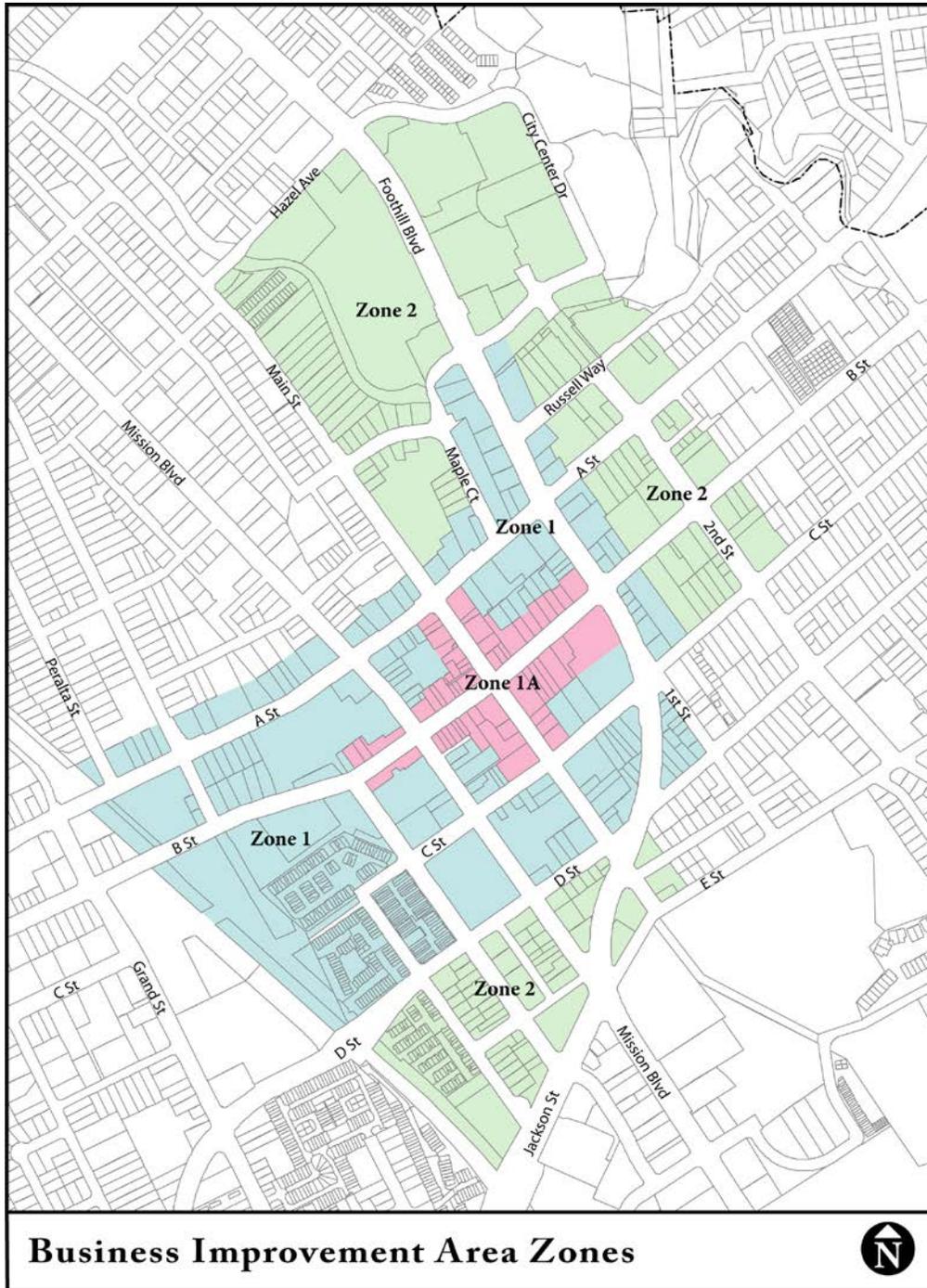
ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

Business Improvement Area Zones



Services	Zone 1A	Zone 1	Zone 2
Banners	√	√	√
Holiday Wreaths	√		
Street Parties, LUTS, Parade, etc.	√		
Side Walk Cleaning (Annual)	√	√	√
Side Walk Cleaning (Second)	√		
Side Spot Cleaning (B St – 3x Weekly)	√		
BIA Members News Letter	√	√	√

BIA FEE STRUCTURE

All businesses classified as PROFESSIONAL SERVICE AND MISCELLANEOUS NON-RETAIL which are located in **Zone 1A** shall pay a flat fee of \$125.00 per year. **Zone 1** is a flat fee of \$75.00 per year.

All businesses classified as FINANCIAL which are located in **Zone 1A** shall pay a flat fee of \$325.00 per year. **Zone 1** is a flat fee of \$200.00 per year.

All businesses classified as PROFESSIONAL SERVICE AND MISCELLANEOUS NON-RETAIL which are located in **Zone 2** shall pay a flat fee of \$75.00 per year.

All businesses classified as FINANCIAL which are located in **Zone 2** shall pay a flat fee of \$200.00 per year.

All businesses classified as RETAIL shall pay an assessment based on the following gross receipts schedule:

GROSS RECEIPTS	ZONE 1A	ZONE 1	ZONE 2
Less than \$100,000	\$145.00	\$120.00	\$90.00
\$100,001 - \$150,000	\$175.00	\$150.00	\$115.00
\$150,001 - \$200,000	\$205.00	\$180.00	\$135.00
\$200,001 - \$300,000	\$255.00	\$230.00	\$175.00
\$300,001 - \$400,000	\$305.00	\$280.00	\$210.00
\$400,001 - \$500,000	\$355.00	\$330.00	\$250.00
\$500,001 - \$750,000	\$425.00	\$400.00	\$300.00
\$750,001 - \$1,000,000	\$495.00	\$400.00	\$300.00
\$1,000,001 and up	\$525.00	\$400.00	\$300.00

DATE: June 12, 2012

TO: Mayor and City Council

FROM: Assistant City Manager

SUBJECT: Approval of Loan of HOME Funds to Eden Housing Inc. for Rehabilitation of Leidig Court Apartments and Redocumentation of CDBG Investment

RECOMMENDATION

That the City Council adopts the attached resolution (Attachment I): (1) approving a loan of \$325,000 in HOME funds for Eden Housing, Inc. (Eden) to undertake rehabilitation at Leidig Court Apartments and authorizing the City Manager to negotiate and execute the necessary loan documents; and (2) approving the redocumentation of certain CDBG funds provided by the City for the benefit of the Leidig Court Apartments and authorizing the City Manager to negotiate and execute the necessary grant documents.

BACKGROUND

Leidig Court (the Property) is currently a fifteen-unit apartment building located in the Harder-Tennyson Neighborhood at 27751 Leidig Court between W. Tennyson Road and Harris Road (see map in Attachment II). The Property, currently owned by the non-profit SAVE¹, operated as transitional housing for victims of domestic violence from 1988 to 2008 when SAVE vacated/closed the building after defaulting on its loan with Alameda County (the County). Subsequently, in March of 2010, the County issued a Request for Proposals (RFP) seeking a non-profit developer that would take ownership of the building to operate it as affordable housing. Eden Housing, Inc. (Eden), the highest ranked bidder of the RFP process, was selected to assume ownership and oversee the rehabilitation of the Property, which is currently in a state of serious disrepair.

DISCUSSION

I. City Funding Contribution for Rehabilitation (HOME funds).

In order to finance the acquisition and rehabilitation of the Property, which is estimated to cost approximately \$1.99 million, the County has requested a \$325,000 contribution from the City. Since the rehabilitation of housing affordable to low-income families is an eligible use of HOME

¹ Safe Alternatives to Violent Environments, Inc.

Investment Partnership Act (HOME) Program funds, staff is recommending that the City use a portion of its uncommitted HOME funds towards this project to pay for rehabilitation costs only. The following are the proposed sources of funds for the project:

Source	Amount
Alameda County Affordable Housing Trust Funds	\$200,000
Alameda County NSP 2* Consortium Funds	\$400,000
City of Hayward HOME Funds	\$325,000
Permanent Financing/Conventional Loan to Eden	\$1,063,879
Total:	\$1,988,879

**NSP 2: Federal Neighborhood Stabilization Program II*

With the help of an architecture firm, Eden has evaluated the Property and has come up with a thorough scope of work to ensure that the Property is fully rehabilitated and will not have long-term maintenance issues. The project’s scope of work includes the following items:

- Carport Repairs
- Reroofing
- Dry rot and framing repairs
- Exterior and interior painting
- Security upgrades, including repair of the gate controller and operator and installation of a security camera system
- Plumbing and electrical repairs throughout the units
- Replacement or repair of windows, appliances, cabinets, and other interior components
- Conversion of office to housing units

The City’s uncommitted HOME funds will be provided to Eden in the form of a 55-year, 3% annual interest-rate loan with payments due from the project’s residual receipts, which are typically defined as the amount by which the project revenues exceed the project expenses. Eden will retain 50% of the residual receipts. The remaining 50% of residual receipts will be calculated on a prorated basis and split between the City and the County based on their new funding contributions.

HOME regulations require funding recipients to restrict as affordable a number of units that is proportionate to the funding provided to a project. Accordingly, the City will only designate four (4) very low-income units as City-HOME restricted units. However, the County will restrict and monitor affordability of all the units to ensure that the apartments remain affordable for 55 years. The City HOME loan documents will require the Property to be operated in accordance with City standards. For example, the City loan documents will require regular reports from Eden, will permit the City to perform property inspections, and will provide the City the ability to replace the management company in case the Property is mismanaged. Aside from the reporting requirements, the City's long term relationship with Eden and Eden's demonstrated ability to perform will ensure that the current blight at the Property is properly eliminated.

Because the County funding for the project is financed in part with Federal funds, the City will coordinate with the County to meet all of the Federal funding requirements triggered by the use of HOME funds. These include occupancy, monitoring and reporting, maintenance, and affordability requirements.

II. Redocumentation of Previous City CDBG Funding Provided to the Property.

During SAVE's operation of the property as transitional housing for victims of domestic violence, the City provided Community Development Block Grant (CDBG) funding to the Property for different rehabilitation projects totaling \$774,500. The proposed acquisition and rehabilitation and the City's new HOME loan will help protect the past funding investment in the Property. Attachment III is a table summarizing the CDBG funding by fiscal year that was provided to SAVE for rehabilitation purposes.

In addition to the City, other jurisdictions, including the County and the cities of Fremont and San Leandro, invested CDBG funds at the Property for past rehabilitation projects. As a result, the City, along with those other jurisdictions, intends to redocument their respective investments in the project, with Eden assuming responsibility for the implementation of CDBG requirements going forward. The City's previous investment of CDBG funds will be redocumented as a revocable CDBG grant (the Grant) to Eden.

The redocumentation of the CDBG investment will include a regulatory agreement with a 35-year term² that will require the Property to be well maintained and operated as affordable housing. In addition, the documents will permit the City to consider forgiving the Grant balance in whole or in part at the time Eden decides to refinance the project's first mortgage loan to undertake additional Property improvements or repairs fifteen or twenty years from now. However, the Grant regulatory agreement will remain recorded against the Property until its expiration in 2047.

During its ownership, SAVE invested some of its own funds for capital improvements on the Property. SAVE will be compensated for these improvements when the sale of the Property to Eden closes. The City's HOME funding will not be used for this purpose as this payment will be part of a "work-out" between the County and SAVE.

ECONOMIC IMPACT

The most significant impact of this undertaking will be to convert a currently vacant and vandalized property into a fully-occupied affordable housing development. This project will also act to stabilize the neighborhood by improving compromised housing stock and introducing proactive management. The City will record a regulatory agreement in connection with its new HOME loan

² Thirty five (35) years only because the 55-year term started at the time of original investment of CDBG funding in the property in 1987 minus the years the Property has not been operated.

and an additional regulatory agreement in connection with the previous CDBG funding. Both agreements will require the Property to be well managed and maintained on an ongoing basis.

FISCAL IMPACT

There will be no impact on the General Fund as a result of this recommendation. The proposed funding will be taken from an allocation of Federal HOME funds made available to the City from the Alameda County HOME funding consortium pool. If Council authorizes the expenditure of HOME funds for this project, , remaining HOME fund balances available for affordable projects or programs will be approximately \$775,000.

Staff's review of the project's financial projections indicates that, as proposed, the project will be sustainable over the long term and that the project will not need additional funding from the City, the County, or other lenders for the acquisition or the rehabilitation work.

PUBLIC CONTACT

The County RFP process where Eden was selected to take ownership of the building and to run it as affordable housing addressed federal HOME procurement requirements. On September 21, 2011, City staff also presented the project proposal to the Citizens Advisory Committee (CAC). The CAC reviewed the proposal, provided positive feedback about the project and Eden, and encouraged staff to move forward with the project. There is no additional public noticing required by the HOME Program regulations in connection with this project.

The project requires no planning approvals since it meets the conditions of a variance granted to SAVE in 1990. The variance stated that should the property be returned to its previous use as multifamily housing, then it must be restored to a 16-unit project with twenty parking spaces. Eden will comply with these requirements.

NEXT STEPS

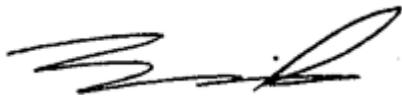
Upon approval of the loan, the City will start to negotiate the Regulatory Agreement and other loan documents with Eden to evidence the HOME affordability and related requirements. The City will also start to negotiate the redocumentation of the CDBG investment.

Staff will keep the Council updated on an ongoing basis as the project moves towards completion. Following this approval, no further action is required from Council. Also, no appropriation of HOME funds is necessary because these funds originate from HUD and reside in the Consortium's line of credit so the City does not receive the funds until it identifies an affordable housing project. Therefore, staff recommends that Council adopt the attached resolution authorizing the expenditure of HOME funds for this project and the redocumentation of previous CDBG funding invested by the City, and further authorizing the City Manager to negotiate and execute necessary documents so that Eden can complete the rehabilitation of the project.

Prepared by: Omar Cortez, Housing Development Specialist

Recommended by: Kelly McAdoo Morariu, Assistant City Manager

Approved by:



Fran David, City Manager

Attachments:

- Attachment I Resolution Authorizing Negotiation and Execution of HOME Loan Documents and the Redocumentation of the City's Community Development Block Grant Investment
- Attachment II Map showing project location
- Attachment III Previous CDBG Investment in the Property

CITY COUNCIL OF THE CITY OF HAYWARD

RESOLUTION NO. 2012-_____

RESOLUTION AUTHORIZING THE CITY MANAGER TO
 NEGOTIATE AND EXECUTE LOAN DOCUMENTS BETWEEN THE
 CITY OF HAYWARD AND EDEN HOUSING, INC., FOR A \$325,000
 HOME LOAN TO FUND THE REHABILITATION OF LEIDIG
 COURT APARTMENTS AND FURTHER AUTHORIZING THE
 REDOCUMENTATION OF EXISTING CDBG FUNDING
 INVESTMENT IN THE PROPERTY

WHEREAS, the City of Hayward (the "City") has received Home Investment Partnership Act funds from the United States Department of Housing and Urban Development pursuant to the Cranston-Gonzales National Housing Act of 1990 ("HOME Funds"), through its membership in the Alameda County HOME Consortium. Such funds must be used by the City in accordance with 24 C.F.R. Part 92; and

WHEREAS, Eden Housing Inc. or an affiliate thereof, ("Eden") is acquiring that certain real property located at 27751 Leidig Court, in the City of Hayward, County of Alameda (the "Property") from the current owner Safe Alternatives to Violent Environments, Inc. ("SAVE"). SAVE operated transitional housing for victims of domestic violence at the Property until 2008 at which time SAVE defaulted on an existing loan with Alameda County (the "County"); and

WHEREAS, Eden intends to acquire and rehabilitate the Property and will make the housing units on the Property available for occupancy by very-low and low income households at an affordable housing cost. Eden has estimated the total development cost to acquire and rehabilitate the Property at approximately One Million Nine Hundred and Ninety Thousand Dollars (\$1,990,000); and

WHEREAS, the County has committed to make a loan of approximately Six Hundred Thousand Dollars (\$600,000) to assist in the financing of Eden's acquisition of the Property (the "County Loan"); and

WHEREAS, Eden wishes to borrow from the City and the City wishes to extend to Eden a loan of up to Three Hundred Twenty-Five Thousand Dollars (\$325,000) of HOME Funds, in order to make the rehabilitation of the Property feasible (the "City HOME Loan"); and

WHEREAS, the City HOME Loan will be evidenced by a loan agreement, a promissory note, a deed of trust and a regulatory agreement; and

WHEREAS, it is anticipated that the City HOME Loan will be recorded in a junior or co-equal lien position to the County Loan; and

WHEREAS, the City receives Community Development Block Grant ("CDBG") Funds under Title I of the Housing and Community Development Act of 1974, as amended.; and

WHEREAS, the City has previously invested certain CDBG funds in the Property (the "CDBG Investment"); and

WHEREAS, in connection with its acquisition, Eden will assume the obligations accompanying the CDBG Investment; and

WHEREAS, the City desires to redocument the CDBG Investment as it relates to the Property in connection with Eden's acquisition of the Property; and

WHEREAS, in accordance with the National Environmental Policy Act of 1969 ("NEPA"), as amended (42 U.S.C. Sections 4321-4347), the City has completed and approved all applicable environmental review for the activities proposed to be undertaken in connection with the City HOME Loan, and has deemed the project to be categorically excluded according to 24 Code of Federal Regulations Section 58.35(a)(3); and

WHEREAS, the California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*) ("CEQA") imposes no conditions on the City's consideration and approval of this City HOME Loan or the redocumentation of the City's CDBG investment, because the project undertaken pursuant to this Agreement is exempt from CEQA requirements under the categorical exemption set forth in 14 CCR Section 15302.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Recitals above are true and correct and by this reference makes them a part hereof.

BE IT FURTHER RESOLVED, that the City Council authorizes the City Manager to file a CEQA Notice of Exemption with the County Clerk of the County of Alameda pursuant to 14 California Code of Regulations Section 15062.

BE IT FURTHER RESOLVED, that the City Council hereby approves a loan of up to Three Hundred Twenty-Five Thousand Dollars (\$325,000) of HOME Funds, to be made by the City to Eden to assist in the financing of Eden's rehabilitation of the Property.

BE IT FURTHER RESOLVED, that the City Council hereby approves the execution and final negotiation by the City Manager of documents consistent with the Staff Report accompanying this resolution, including a loan agreement, a regulatory agreement, a promissory note, a deed of trust, and one or more subordination agreements, and/or an intercreditor agreement together with any and all other documents necessary to effectuate the loan and to take all reasonable steps which may be necessary to effectuate the approvals hereof, in such forms as may be agreed to by the City Manager and approved by the City Attorney.

BE IT FURTHER RESOLVED, that the City Council hereby approves the assumption of the City's CDBG Investment by Eden;

BE IT FURTHER RESOLVED, that the City Council hereby approves the redocumentation of the City's CDBG investment in the Property and the execution and final negotiation by the City Manager of documents consistent with the Staff Report accompanying this resolution, including a revocable grant agreement, a regulatory agreement, a deed of trust, and one or more subordination agreements, and/or an intercreditor agreement together with any and all other documents necessary to effectuate the assumption by Eden and redocumentation of the CDBG Investment and to take all reasonable steps which may be necessary to effectuate the approvals hereof, in such forms as may be agreed to by the City Manager and approved by the City Attorney.

HAYWARD, CALIFORNIA, June 12, 2012

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk, City of Hayward

APPROVED AS TO FORM:

City Attorney

Location of Project:

27751 Leidig Court



Previous City of Hayward CDBG Investment in the Property

Fiscal Year	Amount
1987	\$ 100,000
1993	\$ 53,500
1994	\$ 112,000
1994	\$ 40,000
1998	\$ 69,000
2001	\$ 200,000
2003	\$ 200,000
Total:	\$ 774,500



CITY OF
HAYWARD
HEART OF THE BAY

7

DATE: June 12, 2012
TO: Mayor and City Council
FROM: Director of Public Works – Engineering and Transportation
SUBJECT: Pavement Reconstruction FY12 - Taxiway Delta at Hayward Executive Airport:
Award of Contract

RECOMMENDATION

That Council adopts the attached resolution:

1. Increasing the Administrative Change Order amount from \$60,000 to \$180,000; and
2. Awarding the contract to Granite Rock Company (dba Pavex Construction Division) in the amount of \$579,000.

BACKGROUND

On April 17, 2012, Council approved the plans and specifications for the Pavement Reconstruction FY12 - Taxiway Delta at Hayward Executive Airport project and called for bids to be received on May 15, 2012.

This project is a continuation of the City's ongoing program to repair failed critical pavement sections at the Hayward Executive Airport (Airport). This year, Taxiway Delta, which is located north of Taxiway "A," will be reconstructed. Taxiway Delta is a major facility that provides access to several Airport businesses. The continuous use of Taxiway Delta by heavy aircraft has exacerbated the deterioration of the entire paved surface area.

DISCUSSION

An airport pavement management system (APMS) has been established to maintain inventory, monitor pavement conditions, identify and prioritize pavement needs, and select cost-effective treatments at the Airport. This year, Taxiway Delta was selected the APMS and confirmed in the field as warranting reconstruction based on staff's analysis of the pavement condition indices and field examination.

This segment of Taxiway Delta (approximately 80,000 square feet in area) will be reconstructed using a full-depth rehabilitation (FDR) method. FDR is an in-place recycling pavement reconstruction method that is environmentally friendly, sustainable, and a cost-effective alternative to the conventional full-depth pavement reconstruction. With conventional reconstruction, the full depth of existing material is removed, off-hauled for disposal, and replaced with new material.

With FDR, the existing pavement section material is recycled and reused as the base for the new pavement section. The FDR process can be summarized in three main steps: (1) grind the existing asphalt concrete (AC) and underlying materials; (2) add cement powder and mix it with the recycled materials to stabilize the base; and (3) place a new layer of AC.

On May 15, 2012, the City received seven (7) bids for this project. Granite Rock Company (dba Pavex Construction Division) of San Jose, California submitted the low bid in the amount of \$459,000, which is 19.5 percent below the Engineer's Estimate of \$570,000. Gallgher & Burk, Inc. of Oakland, California submitted the second lowest bid in the amount of \$476,657, which is 16.4 percent below the Engineer's Estimate. The bids ranged from \$459,000 to \$590,667.

The low bid received provides an opportunity to repair/reconstruct additional Airport pavement at locations that staff could not include due to limited funds. To accomplish this additional work, staff recommends increasing the Administrative Change Order (ACO) line item amount from \$60,000 to \$180,000. This recommended \$120,000 increase to the ACO line item would increase Granite Rock Company's low bid from \$459,000 to \$579,000; the additional funds will be applied towards other taxiway pavement repairs. One location that may be considered is Taxiway "C" between the two runways.

All bid documents and licenses are in order. Staff recommends award of contract to the low bidder, Granite Rock Company (dba Pavex Construction Division) in the amount of \$579,000.

This project is categorically exempt under Section 15301(c) of the California Environmental Quality Act Guidelines for the operation, repair, maintenance, or minor alteration of existing facilities.

FISCAL IMPACT

The estimated project costs are as follows:

Pavement Reconstruction – Contract Construction	\$579,000
Design and Administration	\$90,000
Inspection and Testing	<u>\$91,000</u>
Total	\$760,000

The Recommended FY2013 Capital Improvement Program includes \$760,000 in the Airport Capital Improvement Fund for the Pavement Reconstruction FY12 - Taxiway Delta project.

PUBLIC CONTACT

After the contract is awarded, Airport staff will send out preliminary notices to all leasehold tenants who may be affected by the pavement reconstruction work. After the construction work has been scheduled, a more detailed notice indicating the date, time of work and construction areas will be distributed to all affected tenants.

SCHEDULE

Begin Work
Complete Work

July 9, 2012
September 18, 2012

Prepared by: Yaw Owusu, Assistant City Engineer

Recommended by: Morad Fakhrai, Director of Public Works – Engineering and Transportation

Approved by:



Fran David, City Manager

Attachments:

Attachment I: Resolution
Attachment II: Project Location Map
Attachment III: Bid Summary

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-_____

Introduced by Council Member _____

RESOLUTION INCREASING THE ADMINISTRATIVE CHANGE ORDER AMOUNT, AND AWARDING THE CONTRACT TO GRANITE ROCK COMPANY (DBA PAVEX CONSTRUCTION DIVISION) FOR PAVEMENT RECONSTRUCTION FY12 - TAXIWAY DELTA AT HAYWARD EXECUTIVE AIRPORT PROJECT, PROJECT NO. 6813

WHEREAS, by resolution on April 17, 2012, the City Council approved the plans and specifications for the Pavement Reconstruction FY12 - Taxiway Delta at Hayward Executive Airport project, Project No. 6813, and called for bids to be received on May 15, 2012;

WHEREAS, on May 15, 2012, seven (7) bids were received ranging from \$459,000 to \$590,667. Granite Rock Company (dba Pavex Construction Division) of San Jose, California submitted the low bid in the amount of \$459,000, which is 19.5 percent below the Engineer's Estimate of \$570,000; and

WHEREAS, staff recommends that the Administrative Change Order amount be increased on the contract by \$120,000 from \$60,000 to \$180,000, thus increasing Granite Rock Company's low bid from \$459,000 to \$579,000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward hereby authorizes an increase in the Administrative Change Order for the Pavement Reconstruction FY12 – Taxiway Delta at Hayward Executive Airport Project, Project No. 6813, from \$60,000 to \$180,000 thus increasing the low bid to \$579,000, for additional work at the Airport.

BE IT FURTHER RESOLVED by the City Council that Granite Rock Company (dba Pavex Construction Division) is hereby awarded the contract for the Pavement Reconstruction FY12 - Taxiway Delta at Hayward Executive Airport project, Project No. 6813, in an amount not to exceed \$ 579,000, in accordance with the plans and specifications adopted therefore and on file in the office of the City Clerk of the City of Hayward at and for the price named and stated in the bid of the hereinabove specified bidder, and all other bids are hereby rejected.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the contract with Granite Rock Company (dba Pavex Construction Division), in the name of and for and on behalf of the City of Hayward, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA June 12, 2012

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

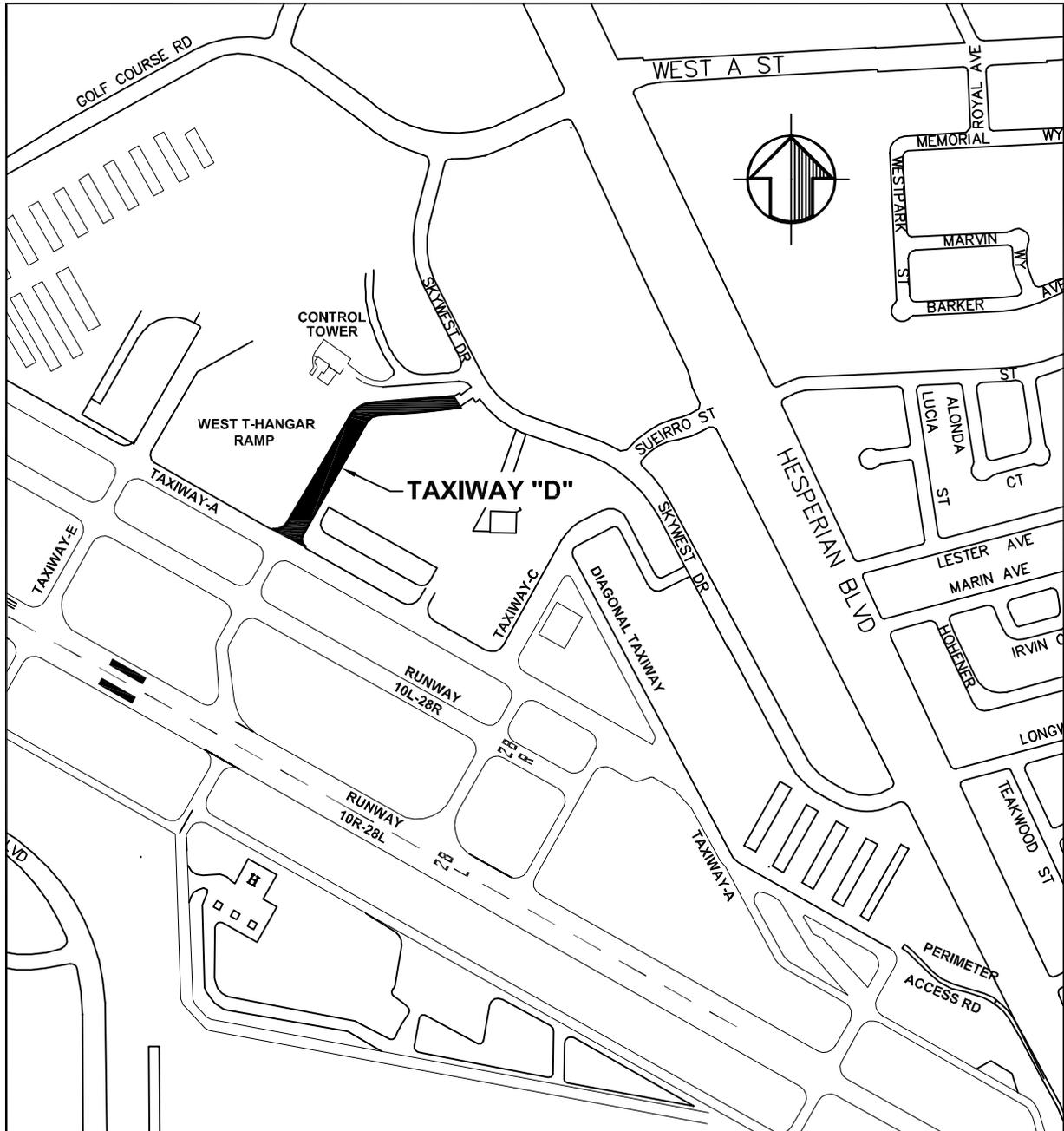
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



PROJECT LOCATION MAP

PAVEMENT RECONSTRUCTION FY12:
TAXIWAY DELTA AT THE HAYWARD EXECUTIVE AIRPORT
PROJECT NO. 6813

CITY OF HAYWARD
 PROJECT TITLE: PAVEMENT RECONSTRUCTION FY12: TAXIWAY DELTA AT
 HAYWARD EXECUTIVE AIRPORT
 PROJECT NO. 6813
 BIDS OPENED: 5/15/12
 (NUMBER OF BIDS RECEIVED - 7)

BID SUMMARY				ENGINEER'S ESTIMATE		Pavex Construction Division 120 Granite Rock Way San Jose, CA 95136 (408) 574-1400 (408) 365-9548 Fax		Gallagher & Burk, Inc. 344 High Street Oakland, CA 94601 (510) 261-0466 (510) 216-0478 Fax	
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	LS	MOBILIZATION/TRAFFIC CONTROL	50,000.00	50,000.00	49,518.50	49,518.50	47,500.00	47,500.00
2	1,136	CY	ROADWAY EXCAVATION	55.00	62,480.00	20.00	22,720.00	30.00	34,080.00
3	73,600	SF	SOIL STABILIZATION USING FULL-DEPTH REHABILITATION (EQUIPMENT & LABOR ONLY)	1.00	73,600.00	0.69	50,784.00	0.60	44,160.00
4	359	TN	PORTLAND CEMENT FOR FULL-DEPTH REHABILITATION	125.00	44,875.00	100.00	35,900.00	100.00	35,900.00
5	2,300	TN	ASPHALT CONCRETE PAVING (MARSHALL MIX)	105.00	241,500.00	90.00	207,000.00	100.00	230,000.00
6	1	EA	REPLACE SURVEY MONUMENT BOX AND COVER TO GRADE	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
7	65	LF	12 " RCP - CLASS V	200.00	13,000.00	200.00	13,000.00	100.00	6,500.00
8	1	EA	INSTALL SWI - TYPE D	3,500.00	3,500.00	5,700.00	5,700.00	4,000.00	4,000.00
9	1	EA	CONNECTION TO EXISTING SWI	2,000.00	2,000.00	1,400.00	1,400.00	1,000.00	1,000.00
10	8,178	SY	FOG SEAL COAT	1.00	8,178.00	0.50	4,089.00	0.50	4,089.00
11	4,720	SF	PAVEMENT MARKINGS - FIRST COAT	1.00	4,720.00	0.70	3,304.00	0.80	3,776.00
12	4,720	SF	PAVEMENT MARKINGS - SECOND COAT	1.00	4,720.00	0.85	4,012.00	0.85	4,012.00
13	675	SF	PAVEMENT MARKINGS - BLACK PAINT	1.00	675.00	0.70	472.50	0.80	540.00
14	1	LS	RECYCLING IMPLEMENTATION	1,000.00	1,000.00	100.00	100.00	100.00	100.00
15	1	LS	ADMINISTRATIVE CHANGE ORDERS	60,000.00	60,000.00	60,000.00	60,000.00	60,000.00	60,000.00
			TOTAL		571,248.00		459,000.00		476,657.00

CITY OF HAYWARD
 PROJECT TITLE: PAVEMENT RECONSTRUCTION FY12: TAXIWAY DELTA AT
 HAYWARD EXECUTIVE AIRPORT
 PROJECT NO. 6813
 BIDS OPENED: 5/15/12
 (NUMBER OF BIDS RECEIVED - 7)

BID SUMMARY				ENGINEER'S ESTIMATE		O'Grady Paving, Inc. 2513 Wyandotte Street Mountain View, CA 94043 (650) 966-1926 (650) 966-1946 Fax		Ghilotti Construction Company, Inc. 246 Ghilotti Avenue Santa Rosa, CA 95407 (707) 585-1221 (707) 585-1601 Fax	
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	LS	MOBILIZATION/TRAFFIC CONTROL	50,000.00	50,000.00	40,000.00	40,000.00	46,000.00	46,000.00
2	1,136	CY	ROADWAY EXCAVATION	55.00	62,480.00	30.00	34,080.00	43.00	48,848.00
3	73,600	SF	SOIL STABILIZATION USING FULL-DEPTH REHABILITATION (EQUIPMENT & LABOR ONLY)	1.00	73,600.00	0.70	51,520.00	0.55	40,480.00
4	359	TN	PORTLAND CEMENT FOR FULL-DEPTH REHABILITATION	125.00	44,875.00	120.00	43,080.00	127.00	45,593.00
5	2,300	TN	ASPHALT CONCRETE PAVING (MARSHALL MIX)	105.00	241,500.00	97.00	223,100.00	118.00	271,400.00
6	1	EA	REPLACE SURVEY MONUMENT BOX AND COVER TO GRADE	1,000.00	1,000.00	500.00	500.00	1,500.00	1,500.00
7	65	LF	12 " RCP - CLASS V	200.00	13,000.00	150.00	9,750.00	114.00	7,410.00
8	1	EA	INSTALL SWI - TYPE D	3,500.00	3,500.00	3,500.00	3,500.00	3,600.00	3,600.00
9	1	EA	CONNECTION TO EXISTING SWI	2,000.00	2,000.00	500.00	500.00	900.00	900.00
10	8,178	SY	FOG SEAL COAT	1.00	8,178.00	0.42	3,434.76	0.30	2,453.40
11	4,720	SF	PAVEMENT MARKINGS - FIRST COAT	1.00	4,720.00	4.00	18,880.00	0.70	3,304.00
12	4,720	SF	PAVEMENT MARKINGS - SECOND COAT	1.00	4,720.00	3.00	14,160.00	0.85	4,012.00
13	675	SF	PAVEMENT MARKINGS - BLACK PAINT	1.00	675.00	4.00	2,700.00	0.70	472.50
14	1	LS	RECYCLING IMPLEMENTATION	1,000.00	1,000.00	1,000.00	1,000.00	1.00	1.00
15	1	LS	ADMINISTRATIVE CHANGE ORDERS	60,000.00	60,000.00	60,000.00	60,000.00	60,000.00	60,000.00
			TOTAL		571,248.00		506,204.76		535,973.90

CITY OF HAYWARD
 PROJECT TITLE: PAVEMENT RECONSTRUCTION FY12: TAXIWAY DELTA AT
 HAYWARD EXECUTIVE AIRPORT
 PROJECT NO. 6813
 BIDS OPENED: 5/15/12
 (NUMBER OF BIDS RECEIVED - 7)

BID SUMMARY				ENGINEER'S ESTIMATE		C. F. Archibald Paving, Inc. PO Box 37 Redwood City, CA 94064 (650) 364-3045 (650) 366-8777 Fax		Top Grade Construction, Inc. 50 Contractors Street Livermore, CA 94551 (925) 449-5764 (925) 449-5875 Fax	
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	LS	MOBILIZATION/TRAFFIC CONTROL	50,000.00	50,000.00	50,000.00	50,000.00	99,605.00	99,605.00
2	1,136	CY	ROADWAY EXCAVATION	55.00	62,480.00	43.25	49,132.00	40.00	45,440.00
3	73,600	SF	SOIL STABILIZATION USING FULL-DEPTH REHABILITATION (EQUIPMENT & LABOR ONLY)	1.00	73,600.00	0.63	46,368.00	0.60	44,160.00
4	359	TN	PORTLAND CEMENT FOR FULL-DEPTH REHABILITATION	125.00	44,875.00	115.00	41,285.00	145.00	52,055.00
5	2,300	TN	ASPHALT CONCRETE PAVING (MARSHALL MIX)	105.00	241,500.00	105.00	241,500.00	101.00	232,300.00
6	1	EA	REPLACE SURVEY MONUMENT BOX AND COVER TO GRADE	1,000.00	1,000.00	300.00	300.00	3,500.00	3,500.00
7	65	LF	12 " RCP - CLASS V	200.00	13,000.00	115.00	7,475.00	140.00	9,100.00
8	1	EA	INSTALL SWI - TYPE D	3,500.00	3,500.00	2,500.00	2,500.00	6,000.00	6,000.00
9	1	EA	CONNECTION TO EXISTING SWI	2,000.00	2,000.00	500.00	500.00	5,000.00	5,000.00
10	8,178	SY	FOG SEAL COAT	1.00	8,178.00	0.53	4,334.34	0.50	4,089.00
11	4,720	SF	PAVEMENT MARKINGS - FIRST COAT	1.00	4,720.00	3.75	17,700.00	0.70	3,304.00
12	4,720	SF	PAVEMENT MARKINGS - SECOND COAT	1.00	4,720.00	3.00	14,160.00	0.85	4,012.00
13	675	SF	PAVEMENT MARKINGS - BLACK PAINT	1.00	675.00	3.75	2,531.25	1.00	675.00
14	1	LS	RECYCLING IMPLEMENTATION	1,000.00	1,000.00	700.00	700.00	500.00	500.00
15	1	LS	ADMINISTRATIVE CHANGE ORDERS	60,000.00	60,000.00	60,000.00	60,000.00	60,000.00	60,000.00
			TOTAL		571,248.00		538,485.59		569,740.00

CITY OF HAYWARD
 PROJECT TITLE: PAVEMENT RECONSTRUCTION FY12: TAXIWAY DELTA AT
 HAYWARD EXECUTIVE AIRPORT
 PROJECT NO. 6813
 BIDS OPENED: 5/15/12
 (NUMBER OF BIDS RECEIVED - 7)

BID SUMMARY				ENGINEER'S ESTIMATE		J.A. Gonsalves & Son Const. Inc.	
						PO Box 6553 Napa, CA 94581 (707) 258-6261 (707) 258-1240 Fax	
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	LS	MOBILIZATION/TRAFFIC CONTROL	50,000.00	50,000.00	15,000.00	15,000.00
2	1,136	CY	ROADWAY EXCAVATION	55.00	62,480.00	42.00	47,712.00
3	73,600	SF	SOIL STABILIZATION USING FULL-DEPTH REHABILITATION (EQUIPMENT & LABOR ONLY)	1.00	73,600.00	0.92	67,712.00
4	359	TN	PORTLAND CEMENT FOR FULL-DEPTH REHABILITATION	125.00	44,875.00	150.00	53,850.00
5	2,300	TN	ASPHALT CONCRETE PAVING (MARSHALL MIX)	105.00	241,500.00	125.00	287,500.00
6	1	EA	REPLACE SURVEY MONUMENT BOX AND COVER TO GRADE	1,000.00	1,000.00	500.00	500.00
7	65	LF	12 " RCP - CLASS V	200.00	13,000.00	120.00	7,800.00
8	1	EA	INSTALL SWI - TYPE D	3,500.00	3,500.00	2,500.00	2,500.00
9	1	EA	CONNECTION TO EXISTING SWI	2,000.00	2,000.00	1,500.00	1,500.00
10	8,178	SY	FOG SEAL COAT	1.00	8,178.00	1.00	8,178.00
11	4,720	SF	PAVEMENT MARKINGS - FIRST COAT	1.00	4,720.00	4.00	18,880.00
12	4,720	SF	PAVEMENT MARKINGS - SECOND COAT	1.00	4,720.00	3.00	14,160.00
13	675	SF	PAVEMENT MARKINGS - BLACK PAINT	1.00	675.00	5.00	3,375.00
14	1	LS	RECYCLING IMPLEMENTATION	1,000.00	1,000.00	2,000.00	2,000.00
15	1	LS	ADMINISTRATIVE CHANGE ORDERS	60,000.00	60,000.00	60,000.00	60,000.00
			TOTAL		571,248.00		590,667.00



CITY OF
HAYWARD
HEART OF THE BAY

DATE: June 12, 2012

TO: Mayor and City Council

FROM: Director of Public Works – Engineering and Transportation

SUBJECT: Sidewalk Rehabilitation and Wheelchair Ramps FY12 – Districts 6 and 9:
Award of Contract

RECOMMENDATION

That Council adopts the attached resolution:

1. Increasing the Administrative Change Order amount from \$54,000 to \$127,546; and
2. Awarding the contract to Rosas Brothers Construction, in the amount of \$625,000.

BACKGROUND

The Sidewalk Rehabilitation Program for the repair of damaged concrete sidewalks consists of two components. The first is the removal of tripping hazards from sidewalk displacements or offsets up to 1-3/4 inches. These hazards are removed by saw cutting the uplifted sidewalk panel across the width of the sidewalk to remove the tripping hazard and produce smooth and uniform surfaces that meet the ADA slope requirement of 8.33% maximum. The purchase order contract for this trip hazard removal work was awarded on October 12, 2011. The work was completed on February 4, 2012.

The second component of the Sidewalk Rehabilitation Program removes and replaces all sidewalk displacements exceeding 1-3/4 inches. Pursuant to Division 7, Part 3, Chapter 27 of the Streets and Highways Code, sidewalk repair is the responsibility of the property owners. Property owners may choose to complete the work themselves or have the repairs completed by the City's contractor, with the payment of a flat fee of \$550 per single family property.

On April 17, 2012, Council approved the plans and specifications for the Sidewalk Rehabilitation and Wheelchair Ramps FY12 – Districts 6 and 9 project and called for bids to be received on May 15, 2012.

DISCUSSION

This year's Sidewalk Rehabilitation Program will repair damaged sidewalks in the Tennyson Road south area, District 6, and Winton-Grove-Thelma Area, District 9 (see Attachments II and III for project location maps). The project also includes the installation of wheelchair access ramps, repair of raised concrete curb and gutter, as well as tree trimming and root pruning of existing trees. As part of the project, the contractor will retain an arborist to examine the conditions of existing trees

and inspect the root pruning work. New trees will be planted where street trees are absent or where an existing tree must be removed because of disease or is in imminent danger of falling. Approximately 413 separate locations of damaged sidewalks comprising a total of 17,690 square feet of sidewalk area will be repaired. In addition, 121 new wheelchair ramps will be installed to bring the wheelchair ramps into compliance with current ADA standards.

On May 15, 2012, five bids were received for the Sidewalk Rehabilitation Project. Rosas Brothers Construction of Oakland submitted the low bid in the amount of \$551,454, which is 7.3 percent below the Engineer’s Estimate of \$595,000. AJW Construction of Oakland submitted the second lowest bid in the amount of \$579,785.50, which is 2.6% lower than the Engineer’s Estimate. The bids ranged from \$551,454 to \$1,172,302.

The low bid received provides an opportunity to repair additional damaged sidewalk locations in the same districts, and install additional wheelchair ramps that otherwise would not have been included, due to limited funds. Therefore, staff recommends increasing the Administrative Change Order amount of the bid by \$73,546 to a total of \$127,546 to cover this extra work.

All bid documents and licenses are in order. Staff recommends award of contract to the low bidder Rosas Brothers Construction, in the amount of \$625,000.

FISCAL AND ECONOMIC IMPACT

The estimated project costs are as follows:

Construction Contract	\$625,000
Trip Hazard Removal (completed under separate contract)	\$200,000
Design and Administration	\$85,000
Construction Survey, Inspection, and Testing	\$96,000
TOTAL	<u>\$1,006,000</u>

The Recommended FY 2013 Capital Improvement Program (CIP) includes \$900,000 for the Sidewalk Rehabilitation Project in the Street System Improvements Fund. The Recommended FY 2013 CIP also includes \$106,000 in the Gas Tax Fund for the Wheelchair Ramps construction. The total appropriation for the two projects is \$1,006,000. Reimbursement from property owners for the sidewalk rehabilitation is estimated to be approximately \$100,000. Transportation Development Act funds will reimburse the full amount (\$106,000) of the Wheelchair Ramps project.

SCHEDULE

Begin Work	July 9, 2012
Complete Work	October 12, 2012

PUBLIC CONTACT

Owners of the affected properties have received certified letters regarding the program along with a response form to return to the City indicating if they want to make the repairs themselves or pay the \$550 fee to have the City complete the work. On the response form, property owners are given two payment choices: a \$550 lump sum payment or an installment plan of twelve monthly payments. The response form also includes a choice of replacement trees. Additional outreach methods, such as phone calls and site visits by staff, are being implemented to ensure that all property owners are clearly aware of the program and the payment options available to them.

Prepared by: Yaw Owusu, Assistant City Engineer

Recommended by: Morad Fakhrai, Director of Public Works - Engineering and Transportation

Approved by:



Fran David, City Manager

Attachments:

- Attachment I: Resolution
- Attachment II: Project Location Maps – Districts 6 & 9
- Attachment III: Bid Summary

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-_____

Introduced by Council Member _____

RESOLUTION INCREASING THE ADMINISTRATIVE CHANGE ORDER
AMOUNT AND AWARDING THE CONTRACT TO ROSAS BROTHERS
CONSTRUCTION FOR THE SIDEWALK REHABILITATION AND
WHEELCHAIR RAMPS PROJECT NOS. 5179 AND 5168

WHEREAS, by resolution on April 24, 2012, the City Council approved the plans and specifications for the Sidewalk Rehabilitation and Wheelchair Ramps, Project No. 5179 and 5168, and called for bids to be received on May 15, 2012; and

WHEREAS, on May 15, 2012, 5 bids were received ranging from \$551,454 to \$1,172,302; Rosas Brothers Construction of Oakland submitted the low bid in the amount of \$551,454, which is 7.3 percent below the Engineer's Estimate of \$595,000; and

WHEREAS, the low bid provides an opportunity to repair additional damaged sidewalk locations and install additional wheelchair ramps in the same districts, and staff is recommending an increase in the Administrative Change Order amount by \$73,546, to a total amount of \$127,546 to cover the extra work.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward hereby authorizes an increase in the Administrative Change Order amount by \$73,546 to a total of \$127,546 to complete the additional repairs and installation of wheelchair ramps.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that Rosas Brothers Construction is hereby awarded the contract for the Sidewalk Rehabilitation and Wheelchair Ramps, Project No. 5179 and 5168, in an amount not to exceed \$625,000, in accordance with the plans and specifications adopted therefor and on file in the office of the City Clerk of the City of Hayward at and for the price named and stated in the bid of the hereinabove specified bidder, and all other bids are hereby rejected.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the contract with Rosas Brothers Construction, in the name of and for and on behalf of the City of Hayward, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA June 12, 2012

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

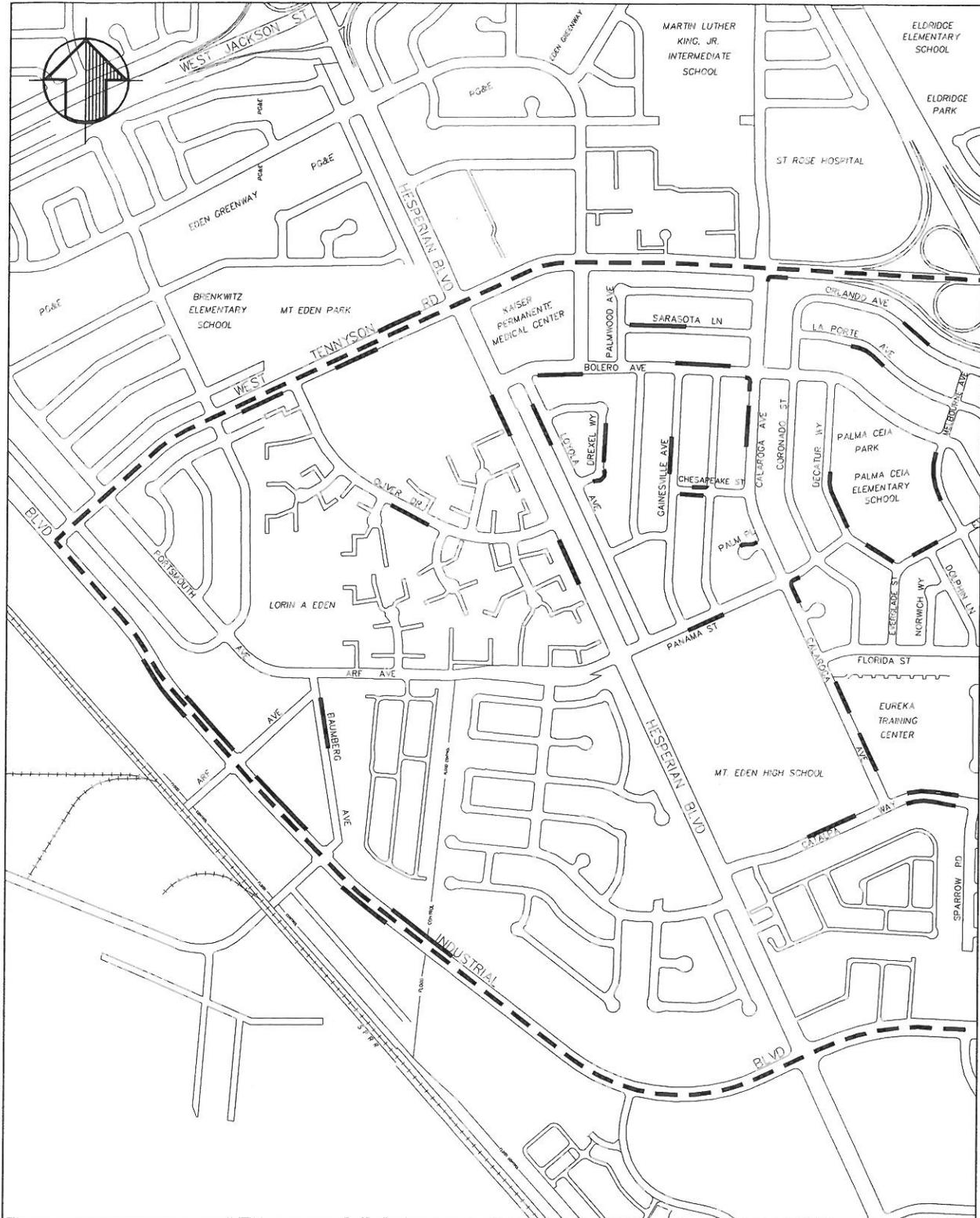
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

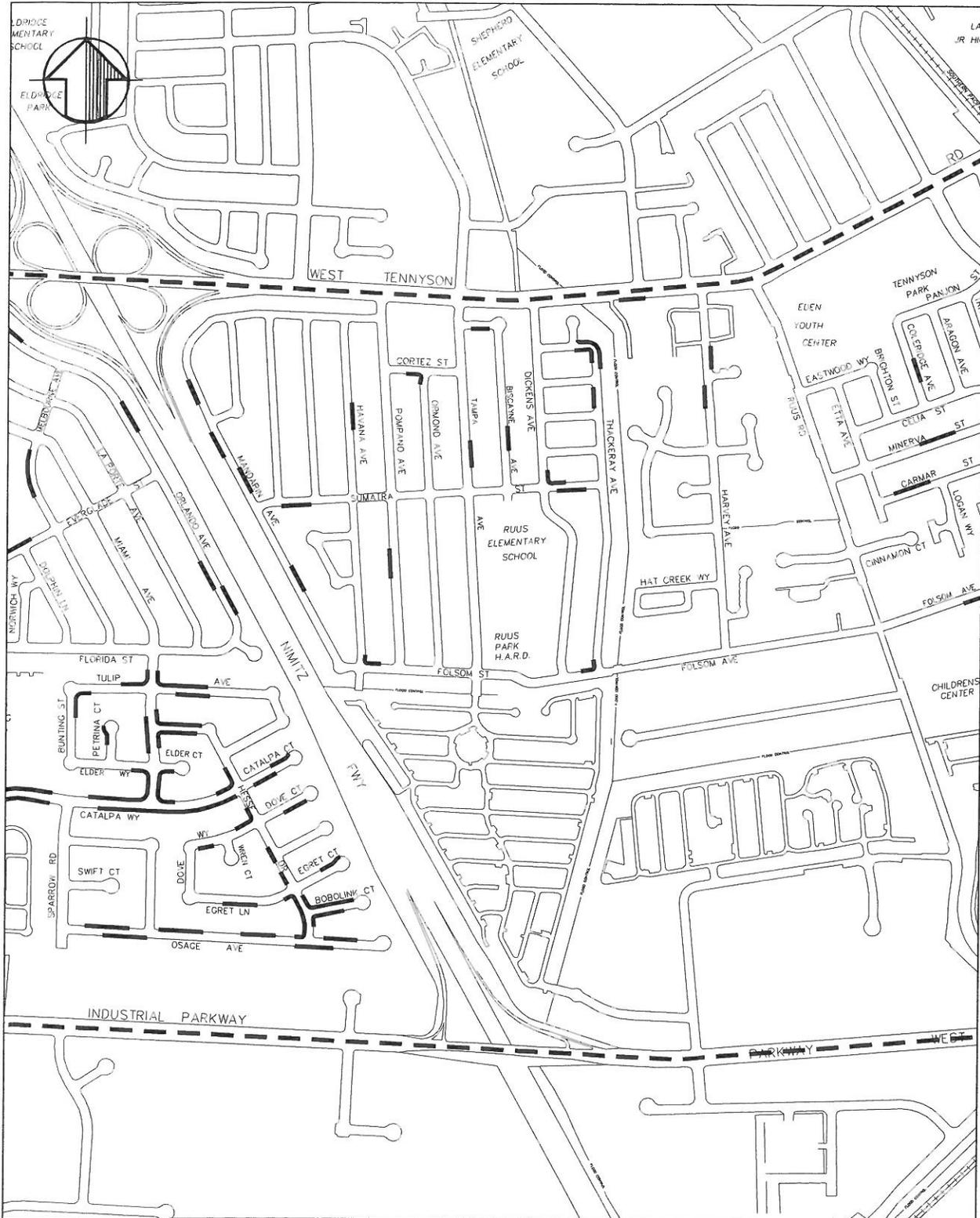
ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

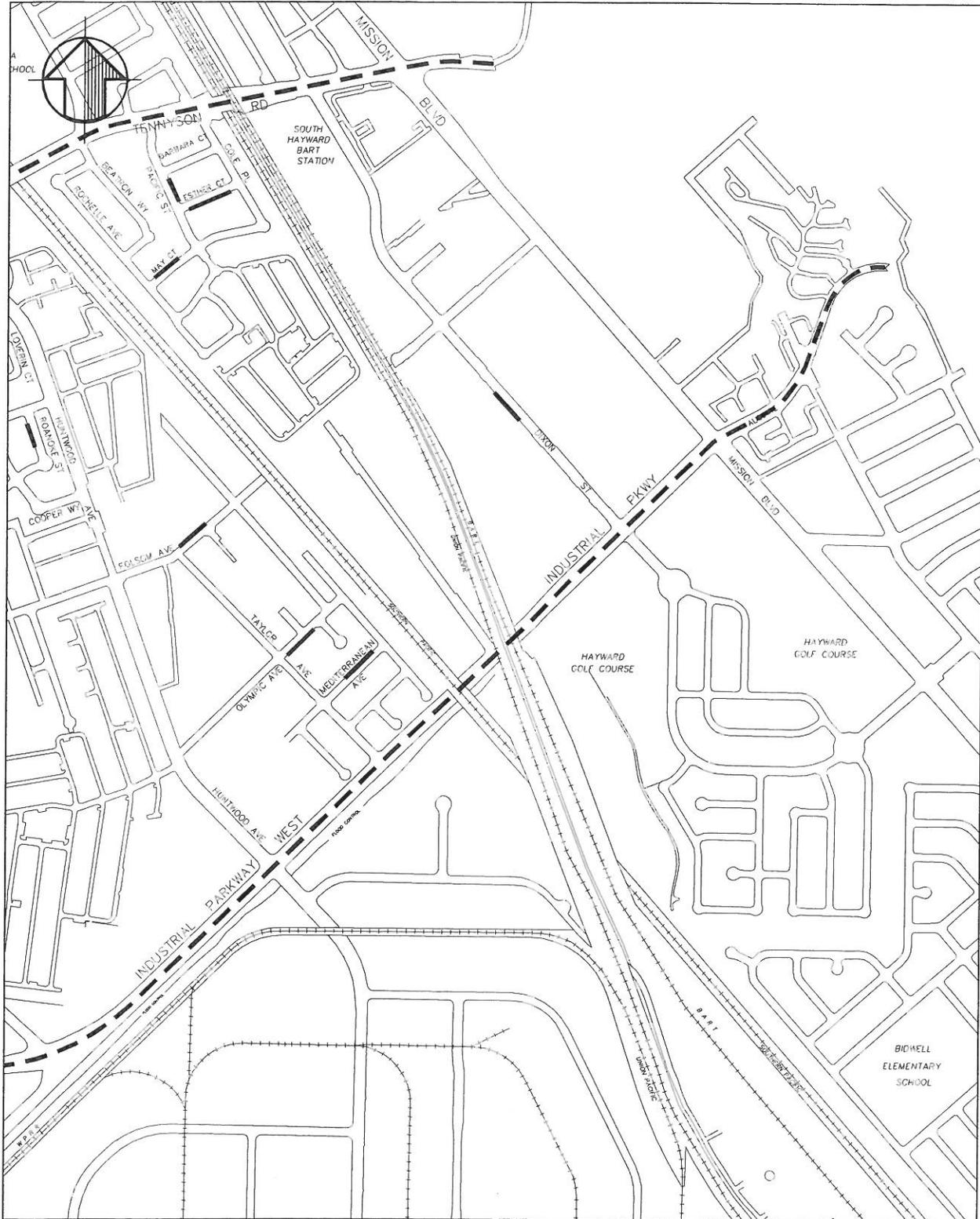
City Attorney of the City of Hayward



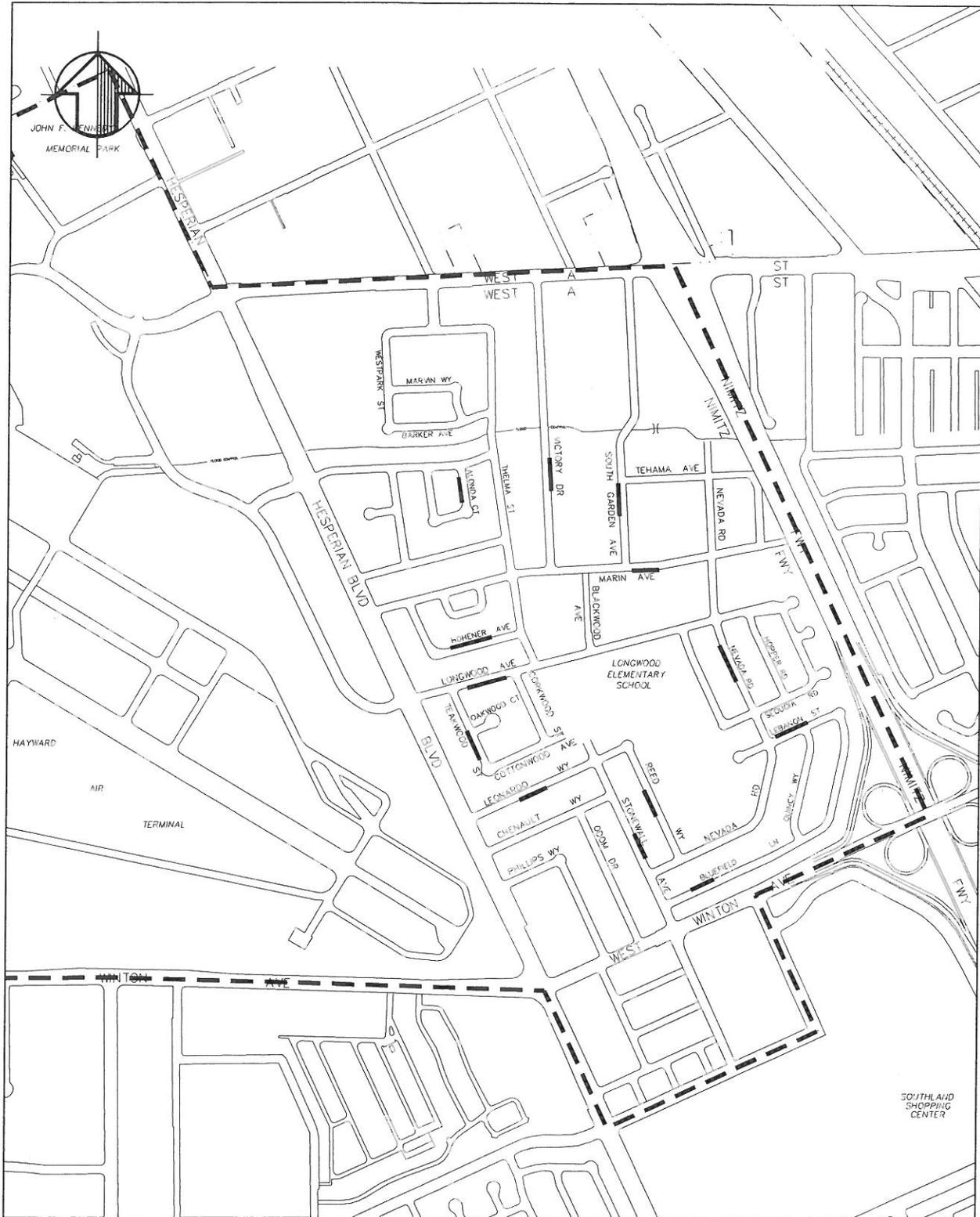
**LOCATION MAP
SIDEWALK REHABILITATION FY12
DISTRICT NO. 6 - PROJECT NO. 5179**



**LOCATION MAP
SIDEWALK REHABILITATION FY12
DISTRICT NO. 6 - PROJECT NO. 5179**



LOCATION MAP
SIDEWALK REHABILITATION FY12
DISTRICT NO. 6 - PROJECT NO. 5179



LOCATION MAP
SIDEWALK REHABILITATION FY12
DISTRICT NO. 9 - PROJECT NO. 5179

CITY OF HAYWARD
 CONSTRUCTION OF SIDEWALK REHABILITATION AND WHEELCHAIR RAMPS 2012
 PROJECT NOS. 5179 & 5168
 BIDS OPENED: 5/15/12
 (NUMBER OF BIDS RECEIVED - 5)

BID SUMMARY				ENGINEER'S ESTIMATE		Rosas Brothers Construction 4731 Coliseum Way Oakland, CA 94601 (510) 534-1077 (510) 534-5077 Fax		AJW Construction 966 81st Ave Oakland, CA 94621 (510) 568-2300 (510) 639-1578 Fax	
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	17,700	SF	Minor Concrete (Remove and Replace Concrete Sidewalk)	8.00	141,600.00	8.50	150,450.00	8.00	141,600.00
2	449	SF	Minor Concrete (Remove and Replace Concrete Driveway and Conforms)	9.00	4,041.00	9.50	4,265.50	9.50	4,265.50
3	12	LF	Minor Concrete (Remove and Replace Rolled Concrete Curb and Gutter)	35.00	420.00	40.00	480.00	40.00	480.00
4	465	LF	Minor Concrete (Remove and Replace Standard Concrete Curb and Gutter)	31.00	14,415.00	36.00	16,740.00	30.00	13,950.00
5	1,435	SF	6-Inch Deep AC Conform	7.00	10,045.00	7.00	10,045.00	7.00	10,045.00
6	5	EA	Stump and Root Removal	400.00	2,000.00	350.00	1,750.00	300.00	1,500.00
7	1,398	SF	Remove Plain or Exposed Aggregate Concrete & Brick Tile	4.00	5,592.00	3.50	4,893.00	3.00	4,194.00
8	363	SF	Salvage and Spread Decorative Stones	5.00	1,815.00	3.50	1,270.50	4.00	1,452.00
9	82	EA	24-inch Box Size Tree	350.00	28,700.00	380.00	31,160.00	400.00	32,800.00
10	2,192	LF	Root Barrier Installation	9.00	19,728.00	6.00	13,152.00	8.00	17,536.00
11	1,766	SF	Turf (Sod)	3.50	6,181.00	4.00	7,064.00	2.00	3,532.00
12	5	CY	In-Place Compacted Topsoil	50.00	250.00	50.00	250.00	200.00	1,000.00
13	5	EA	Tree Removal	1,300.00	6,500.00	900.00	4,500.00	800.00	4,000.00
14	2	EA	Extraordinary Root Removal	300.00	600.00	250.00	500.00	125.00	250.00
15	156	EA	Root Prune Existing Tree	165.00	25,740.00	140.00	21,840.00	125.00	19,500.00
16	155	EA	Tree Trimming	150.00	23,250.00	300.00	46,500.00	300.00	46,500.00
17	248	LF	Irrigation Pipe and Sprinkler Heads	6.00	1,488.00	4.00	992.00	5.00	1,240.00
18	17,070	SF	Concrete Curb Ramp with Truncated Dome	13.00	221,910.00	10.00	170,700.00	12.00	204,840.00
19	300	SF	Grind AC Pavement	10.00	3,000.00	10.00	3,000.00	5.00	1,500.00
20	156	EA	Arborist (Supervision Each Location)	150.00	23,400.00	50.00	7,800.00	100.00	15,600.00
21	1	LS	Recycling Implementation	325.00	325.00	102.00	102.00	1.00	1.00
22	1	LS	Administrative Change Orders	54,000.00	54,000.00	54,000.00	54,000.00	54,000.00	54,000.00
TOTAL					595,000.00		551,454.00		579,785.50

CITY OF HAYWARD
 CONSTRUCTION OF SIDEWALK REHABILITATION AND WHEELCHAIR RAMPS 2012
 PROJECT NOS. 5179 & 5168
 BIDS OPENED: 5/15/12
 (NUMBER OF BIDS RECEIVED - 5)

BID SUMMARY				ENGINEER'S ESTIMATE		Spencon Construction, Inc.		JJR Construction, Inc.	
						PO Box 1220 Danville, CA 94526 (925) 984-2581 (925) 984-2583 Fax		1120 9th Avenue San Mateo, CA 94402 (650) 343-6109 (650) 343-6207 Fax	
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	17,700	SF	Minor Concrete (Remove and Replace Concrete Sidewalk)	8.00	141,600.00	8.70	153,990.00	8.45	149,565.00
2	449	SF	Minor Concrete (Remove and Replace Concrete Driveway and Conforms)	9.00	4,041.00	9.00	4,041.00	13.55	6,083.95
3	12	LF	Minor Concrete (Remove and Replace Rolled Concrete Curb and Gutter)	35.00	420.00	42.00	504.00	56.50	678.00
4	465	LF	Minor Concrete (Remove and Replace Standard Concrete Curb and Gutter)	31.00	14,415.00	39.00	18,135.00	37.87	17,609.55
5	1,435	SF	6-Inch Deep AC Conform	7.00	10,045.00	7.00	10,045.00	12.75	18,296.25
6	5	EA	Stump and Root Removal	400.00	2,000.00	300.00	1,500.00	330.00	1,650.00
7	1,398	SF	Remove Plain or Exposed Aggregate Concrete & Brick Tile	4.00	5,592.00	3.00	4,194.00	8.75	12,232.50
8	363	SF	Salvage and Spread Decorative Stones	5.00	1,815.00	3.00	1,089.00	5.00	1,815.00
9	82	EA	24-inch Box Size Tree	350.00	28,700.00	394.40	32,340.80	433.00	35,506.00
10	2,192	LF	Root Barrier Installation	9.00	19,728.00	10.00	21,920.00	12.25	26,852.00
11	1,766	SF	Turf (Sod)	3.50	6,181.00	1.97	3,479.02	2.15	3,796.90
12	5	CY	In-Place Compacted Topsoil	50.00	250.00	28.00	140.00	235.00	1,175.00
13	5	EA	Tree Removal	1,300.00	6,500.00	750.00	3,750.00	825.00	4,125.00
14	2	EA	Extraordinary Root Removal	300.00	600.00	600.00	1,200.00	650.00	1,300.00
15	156	EA	Root Prune Existing Tree	165.00	25,740.00	125.00	19,500.00	132.00	20,592.00
16	155	EA	Tree Trimming	150.00	23,250.00	275.00	42,625.00	300.00	46,500.00
17	248	LF	Irrigation Pipe and Sprinkler Heads	6.00	1,488.00	5.50	1,364.00	6.00	1,488.00
18	17,070	SF	Concrete Curb Ramp with Truncated Dome	13.00	221,910.00	11.90	203,133.00	14.15	241,540.50
19	300	SF	Grind AC Pavement	10.00	3,000.00	10.00	3,000.00	20.00	6,000.00
20	156	EA	Arborist (Supervision Each Location)	150.00	23,400.00	95.00	14,820.00	102.00	* 15,912.00
21	1	LS	Recycling Implementation	325.00	325.00	1.00	1.00	1,000.00	1,000.00
22	1	LS	Administrative Change Orders	54,000.00	54,000.00	54,000.00	54,000.00	54,000.00	54,000.00
TOTAL				595,000.00		594,770.82		** 667,717.65	

* Unit Total Correction

** Total Bid Correction

CITY OF HAYWARD
 CONSTRUCTION OF SIDEWALK REHABILITATION AND WHEELCHAIR RAMPS 2012
 PROJECT NOS. 5179 & 5168
 BIDS OPENED: 5/15/12
 (NUMBER OF BIDS RECEIVED - 5)

BID SUMMARY				ENGINEER'S ESTIMATE		J.A. Gonsalves & Son Constr., Inc. PO Box 6553 Napa, CA 94581 (707) 258-6261 (707) 258-1240 Fax	
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	17,700	SF	Minor Concrete (Remove and Replace Concrete Sidewalk)	8.00	141,600.00	12.00	212,400.00
2	449	SF	Minor Concrete (Remove and Replace Concrete Driveway and Conforms)	9.00	4,041.00	16.00	7,184.00
3	12	LF	Minor Concrete (Remove and Replace Rolled Concrete Curb and Gutter)	35.00	420.00	150.00	1,800.00
4	465	LF	Minor Concrete (Remove and Replace Standard Concrete Curb and Gutter)	31.00	14,415.00	105.00	48,825.00
5	1,435	SF	6-Inch Deep AC Conform	7.00	10,045.00	12.00	17,220.00
6	5	EA	Stump and Root Removal	400.00	2,000.00	450.00	2,250.00
7	1,398	SF	Remove Plain or Exposed Aggregate Concrete & Brick Tile	4.00	5,592.00	8.00	11,184.00
8	363	SF	Salvage and Spread Decorative Stones	5.00	1,815.00	5.00	1,815.00
9	82	EA	24-inch Box Size Tree	350.00	28,700.00	400.00	32,800.00
10	2,192	LF	Root Barrier Installation	9.00	19,728.00	12.00	26,304.00
11	1,766	SF	Turf (Sod)	3.50	6,181.00	2.00	3,532.00
12	5	CY	In-Place Compacted Topsoil	50.00	250.00	220.00	1,100.00
13	5	EA	Tree Removal	1,300.00	6,500.00	750.00	3,750.00
14	2	EA	Extraordinary Root Removal	300.00	600.00	600.00	1,200.00
15	156	EA	Root Prune Existing Tree	165.00	25,740.00	150.00	23,400.00
16	155	EA	Tree Trimming	150.00	23,250.00	400.00	62,000.00
17	248	LF	Irrigation Pipe and Sprinkler Heads	6.00	1,488.00	6.00	1,488.00
18	17,070	SF	Concrete Curb Ramp with Truncated Dome	13.00	221,910.00	35.00	597,450.00
19	300	SF	Grind AC Pavement	10.00	3,000.00	150.00	45,000.00
20	156	EA	Arborist (Supervision Each Location)	150.00	23,400.00	100.00	15,600.00
21	1	LS	Recycling Implementation	325.00	325.00	2,000.00	2,000.00
22	1	LS	Administrative Change Orders	54,000.00	54,000.00	54,000.00	54,000.00
TOTAL					595,000.00		1,172,302.00

DATE: June 12, 2012

TO: Mayor and City Council

FROM: Director of Public Works – Engineering and Transportation

SUBJECT: Signal Timing and Controller Replacement Program on Clawiter Corridor:
Approval of Contracts for Purchase of Traffic Control Equipment

RECOMMENDATION

That Council adopts the attached resolution for the Signal Timing and Controller Replacement Program Project to approve purchases of traffic signal controllers and traffic management software from Western Pacific in an amount not to exceed \$90,000, and purchases of video detection systems from Iteris, Inc. in an amount not to exceed \$55,000.

BACKGROUND

On October 28, 2010, the City was successful in obtaining Transportation for Clean Air (TFCA) grant funding in the amount of \$614,000 from the Bay Area Air Quality Management District (BAAQMD), through the Alameda County Transportation Commission (ACTC), to upgrade the traffic signal controllers and to install video detection equipment for the Hesperian Boulevard, Tennyson Road and Winton Avenue corridors. On July 26, 2011, Council approved contracts for the purchase of Naztec traffic signal controllers from Western Pacific Signal Inc., and video detection cameras from Iteris, Inc.; installation of this equipment is underway.

On September 22, 2011, the Alameda CTC approved an additional \$190,000 of TFCA funding to similarly upgrade the traffic control equipment on the Clawiter corridor from Winton Avenue to Enterprise Avenue. On December 20, 2011, Council authorized an amendment to the City's existing Professional Services Agreement with TJKM Transportation Consultants for traffic signal design services associated with the Clawiter corridor. As all design work has been completed for the project, the next step is to purchase the new signal control equipment and video detection cameras.

DISCUSSION

The TFCA grant provides funding for Phase 2 of the project, which will upgrade signal controllers at six intersections on Clawiter Road between Winton Avenue and Enterprise Avenue. The resultant improvements to signal interconnectivity will enable communications with the new Traffic Management Center (TMC), which is being installed in City Hall as part of the Route 238 Corridor

Improvement Project. This phase will also install video detection at two critical intersections to be determined based on volumes, condition of existing loop detectors and availability of conduit space. Video detection eliminates the need for loops in the asphalt to identify the number of cars approaching the signal. Staff has been using video detection rather than loops at most new signals because it is not affected by repaving projects and tends to be more reliable.

Once the upgrades required for the signal coordination are complete, a total of thirty-seven intersections on four major corridors (not including the intersections along the Route 238 corridor) will be optimized and coordinated to reduce traffic congestion, thereby improving traffic flow, decreasing fuel consumption, and ultimately reducing greenhouse gas emissions. This is consistent with the goals of the City's Climate Action Plan, especially Action Item 1.8, which calls for improved traffic flow management practices throughout the City.

Prior to construction of the Route 238 Corridor Improvement Project, staff researched, evaluated, and discussed potential traffic signal controller and traffic management software options with other agencies, particularly those who had implemented or were planning to implement a Traffic Management Center (TMC) similar to what is planned for the City. Naztec controllers were chosen for installation as part of the Route 238 Corridor Improvement Project due to their ability to provide a more dynamic means of traffic management than City's current and outdated controllers.

In order to have a fully integrated Traffic Management System that extends beyond the Foothill-Mission corridor, Naztec controllers were approved by Council for use on the Hesperian, Tennyson and Winton corridors as part of a previous TFCA project. Therefore, City staff recommends purchasing Naztec controllers for the Clawiter Corridor as well. In addition, traffic management system software is needed to optimize traffic operations and integrate the controllers with the planned TMC. For similar reasons, staff recommends purchasing ATMS.now software for the Clawiter corridor due to its compatibility with Naztec controllers. As was the case with the previous three corridors, since there is only one provider of the Naztec controllers and software that is compatible with these controllers, staff recommends Council approval of a sole source contract to purchase the controllers and ATMS.now software through Western Pacific. Having a single supplier for both the software and controllers has been identified as an advantage by other cities upgrading their traffic signal systems.

Iteris is the only firm that provides a video detection camera with high resolution and the ability to process video from four cameras in one processor. This allows staff to observe all of the legs on the intersection concurrently on one monitor so that a complete picture of the intersection can be obtained. At this time, the Iteris camera is the only camera that provides this capability without purchasing additional devices. City staff spoke with other jurisdictions that use Iteris cameras and all are satisfied with this camera system. In addition, Council previously approved use of this camera system on the Hesperian, Tennyson, and Winton corridors. Iteris equipment provides superior quality and performance, excellent customer service support, and is reasonably priced. Therefore, staff also recommends Council approval of a sole source contract to purchase the video detection equipment through Iteris, Inc.

FISCAL AND ECONOMIC IMPACT

The following is the estimated total cost of the Project:

Signal Controllers/ATMS.now Software Purchase and Installation (Western Pacific)	\$85,000
Video System Purchase (Iteris)	50,000
Consultant Design Services (TJKM)	20,000
Construction Administration and Video System Installation	<u>63,000</u>
Total:	\$218,000

The Recommended FY2013 Capital Improvement Program includes \$218,000 in the Transportation System Improvement Fund for this project, which consists of \$190,000 from the TFCA Grant and the required local match of \$28,000.

PUBLIC CONTACT

The ACTC Board approved the City's application at a public meeting on September 20, 2011. Prior to construction of the project, public notices will be sent to businesses and residents that may be impacted by the construction work.

SCHEDULE

Award Contracts	July 2012
Complete Traffic Signal Controller Upgrade	August 2012
Complete Testing and Training	October 2012
Complete Signal Retiming Adjustments	December 2012

Prepared by: Don Frascinella, Transportation Manager

Recommended by: Morad Fakhrai, Director of Public Works – Engineering and Transportation

Approved by:



Fran David, City Manager

Attachments:

- Attachment I: Resolution
- Attachment II: Project Corridors Map

HAYWARD CITY COUNCIL

Resolution No. _____

Introduced by Councilmember _____

RESOLUTION APPROVING PURCHASE ORDERS FOR TRAFFIC SIGNAL CONTROLLERS, VIDEO DETECTION SYSTEMS AND TRAFFIC CONTROL SOFTWARE FOR THE SIGNAL TIMING AND CONTROLLER REPLACEMENT PROGRAM FOR CLAWITER ROAD, PROJECT NO. 5703

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to proceed with a sole source purchase of Naztec Traffic Controllers from Western Pacific Inc., and ATMS.now traffic control software from Western Pacific Inc., in an amount not to exceed \$90,000 and video traffic detection cameras from Iteris, Inc. in an amount not to exceed \$55,000 for the City’s Signal Timing Controller Replacement Program for Clawiter Road.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

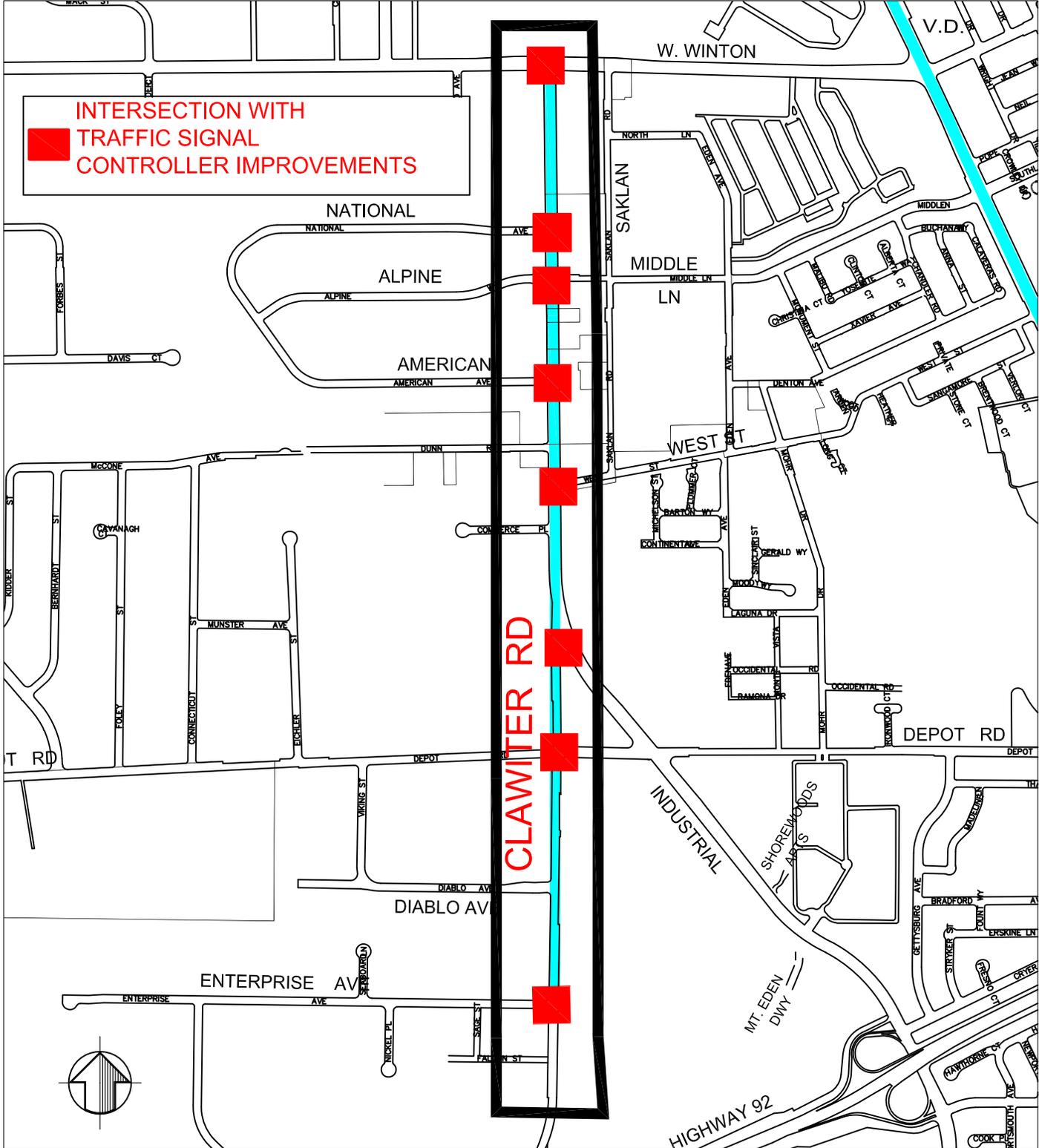
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CLAWITER RD

INTERSECTION WITH TRAFFIC SIGNAL CONTROLLER IMPROVEMENTS

PROJECT LOCATION

DATE: June 12, 2012

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Report and Special Assessment for Residential Rental Inspection Fees Past Due

RECOMMENDATION

That Council adopts the attached resolution (Attachment I) confirming the report and assessments for overdue Residential Rental Inspection fees for calendar year 2011 and through April 30, 2012, and authorizing the assessments to become a special assessment against the properties if not paid on or before July 27, 2012.

BACKGROUND

The Residential Rental Inspection Ordinance (“Ordinance”), codified in Article 5, Chapter 9 of the Hayward Municipal Code (“HMC”), creates an inspection program for residential rental units in the City. The purpose of the Ordinance is to safeguard the stock of safe and sanitary rental housing by inspecting units for violations of housing and building codes.

The Ordinance provides a process for the inspection of units, notification to property owners, and the imposition of fees/penalty charges. When a violation has been identified at a property, the City provides a correction notice to the owner identifying the violation(s). If the violation is not corrected by the owner, the Ordinance authorizes fee and penalty charges for any inspection or re-inspection performed. Once the owner has exhausted his or her administrative hearing rights, the owner must pay any fees and penalty charges. If those costs are not paid in full prior to July 27, 2012, the unpaid fees and/or charges are scheduled for special assessment against the property once confirmed and authorized by Council resolution.

DISCUSSION

The purpose of this special assessment meeting is to confirm the assessment list (Attachment II) of properties with unpaid residential rental inspection fees. The past due fees outlined in the attached report were incurred by owners who received enforcement inspections associated with violations and did not pay invoices previously mailed to the address of record. There were a total of 370 properties invoiced for the period noted above; approximately twenty-two percent of those properties are now delinquent.

The costs comprising the special assessment charges were calculated pursuant to the City's Master Fee Schedule. As of the date of this writing, there are eighty-one properties with overdue rental inspection bills that total \$81,750.23. The unpaid charges plus any administration costs of the City of Hayward and the County of Alameda will become special assessments against the properties and will appear on the property owners' November 2012 property tax bills if the bills remain unpaid by July 27, 2012. The County of Alameda collects and remits the funds to the City of Hayward when the property taxes are paid. Disbursements from the County of Alameda occur three times per year.

Per Hayward Municipal Code Section 9-5.502, every owner on the attached list was afforded the opportunity via notices sent by certified mail on May 11 to request in writing a Lien/Special Assessment hearing to provide "any objections which may be raised by any person liable to be charged for the work of abating cited code violations and related charges associated with his or her property." As of the writing of this report, one request has been recently filed. In response, a Lien/Special Assessment hearing is in progress and will be concluded prior to filing these liens with the County. If the determination of the Hearing Officer, which is final, indicates the assessment for this property owner is not valid, , per our standard procedures, City staff will remove the assessment from the attached list before filing it with the County Recorder's Office in late July.

FISCAL IMPACT

There is no fiscal impact to the City of Hayward associated with processing such overdue bills, as City costs are reimbursed through special assessment or other collection processes. All special assessment costs are collected along with lien amounts on individual tax bills. Collection of these fees also helps minimize the General Fund subsidy to this program and reduces unrecoverable costs of conducting inspections associated with the City's Rental Housing Inspection Program because they represent fees assessed for staff time related to enforcement actions.

PUBLIC CONTACT

Notices of violation were sent to the property owners of record, giving them the opportunity to correct the cited violations. Notice of City Council's confirmation of this report and list was published in *The Daily Review* on June 2, 2012. In addition, property owner(s) were notified on May 12, 2012, by certified mail and given the opportunity to contest the assessed fees before an independent hearing officer. They were also encouraged in that notice to pay their bills to minimize fees related to the special assessment process. No owner appeared to contest their past due fees.

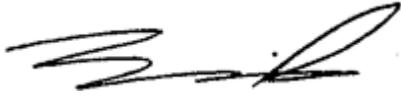
NEXT STEPS

A copy of the Special Assessment List will be forwarded by the City of Hayward's Revenue Division to the Alameda County Assessor's Office. Upon receipt, the Assessor's Office will attach the City of Hayward's fees past due as a special assessment against each parcel. That assessment will then appear on the property owners' November 2012 property tax bill for collection. When the County Assessor receives the tax payment, the City of Hayward will be reimbursed by the Assessor's Office typically after payment of the second installment in April of the following year.

Prepared by: Duke V. Bragg, Supervising Housing Inspector

Recommended by: David Rizk, Development Services Director

Approved by:



Fran David, City Manager

Attachments:

Attachment I: Draft Resolution

Attachment II: 2011 / 2012 Residential Rental Inspection Assessment List

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member

RESOLUTION CONFIRMING THE REPORT AND SPECIAL ASSESSMENT LIST AND AUTHORIZING TRANSMITTAL OF ASSESSMENTS TO THE COUNTY ADITOR FOR COLLECTION ASSOCIATED WITH OVERDUE RESIDENTIAL RENTAL INSPECTION FEES FOR CALENDAR YEAR 2011 AND THROUGH APRIL 30, 2012

WHEREAS, in connection with the City of Hayward Residential Rental Inspection Program, the Enforcement Official has rendered an itemized report herein referred to as an assessment list, specifying the date and nature of inspections performed, the amount of unpaid program and other fees and penalty charges imposed in calendar year 2011 and through April 30, 2012, and the names and addresses of owners of inspected rental units, including hotel and motel units, all as required by section 9-5.503 of the Municipal Code of the City of Hayward; and

WHEREAS, the hour of 7:00 p.m. on Tuesday, June 12, 2012, in the Council Chambers, City Hall, 777 B Street, Hayward, California, was fixed as the time and place for this Council to receive and consider the report, and a copy of the report has been posted and published in the manner required by section 9-5.504 of the Municipal Code; and

WHEREAS, the hearing was held at the time and place fixed, and the City Council has considered the report and assessment list and all comments with respect thereto.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that, except as amended by Council, the report of the Enforcement Official of the City of Hayward's Residential Rental Inspection Program on the cost of causing the correction, repair, or abatement of violations on the properties therein described, a copy of which is attached hereto, is hereby confirmed.

BE IT FURTHER RESOLVED that payments of assessments confirmed hereby may be received by the City of Hayward Finance Director up to the hour of 5:00 p.m. on June 12, 2012, and thereafter, the Finance Director shall transmit the unpaid assessments to the County Auditor for collection on the property tax roll.

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

REPORT ID: FMIS-AR851

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 1 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	INVOICE DESCRIPTION	PARCEL LOCATION	BALANCE DUE	DEPT	STAT
BILLED TO	MAP BLOCK	PARCEL						
237459	03/22/2012	444 0048 038 00	ANGUIANO GLORIA	25075 PLEASANT WAY HAYWARD CA	25075 PLEASANT WAY 94544	780.00	2717	46
COMPLAINT INSPECTION FEE INSPECTION AT 25075 PLEASANT WAY ON 11/4/11, 12/8/11 AND 1/10/12 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. COMPLAINT INSPECTION FEE INSPECTION AT 25075 PLEASANT WAY ON 11/4/11, 12/8/11 AND 1/10/12 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. COMPLAINT INSPECTION FEE INSPECTION AT 25075 PLEASANT WAY ON 11/4/11, 12/8/11 AND 1/10/12 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.								

40499			ANGUIANO, GLORIA	TOTAL		780.00		

224576	05/12/2011	453 0005 007 00	APELE OKUSITINO	26045 COLEMAN AVE HAYWARD CA	26045 COLEMAN AVE 94544	158.22	2717	46
COMPLAINT INSPECTION FEE ATTEMPTED PROGRESS CHECK AT 26045 COLEMAN AVE ON 3/3/11 WITH FRED POWELL. FOR BILLING QUESTIONS CALL FRED AT 583-4162.								

23269			APELE, OKUSITINO & EPETEMA, H	TOTAL		158.22		

224579	05/12/2011	431 0088 051 01	BUENROSTRO LEONARDO & GUADALUP	7060 CORINTH CT DUBLIN CA	22849 INYO ST 94568	697.20	2717	46
NONFOCUS AREA - MULTI FAMILY INSP MANDATOR FEE PROGRESS CHECK AT 22849 INYO ST ON 4/21/11 WITH FRED POWELL. FOR BILLING QUESTIONS CALL FRED AT 583-4162.								

26166			BUENROSTRO, GUADALUPE	TOTAL		697.20		

225375	06/23/2011	431 0088 051 01	BUENROSTRO LEONARDO & GUADALUP	7060 CORINTH CT DUBLIN CA	22849 INYO ST 94568	261.00	2717	46
NONFOCUS AREA - MULTI FAMILY INSP MANDATOR FEE PROGRESS CHECK AT 22849 INYO ST ON 6/2/11 WITH FRE POWELL. FOR BILLING QUESTIONS CALL FRED AT 583- 4162.								

21797			BUENROSTRO, LEONARDO & GUADALU	TOTAL		261.00		

1.

2.

3.

REPORT ID: FMIS-AR851

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 2 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	- PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
230738	01/26/2012	441 0074 011 00	CASTANEDA MARIA L 24880 MOHR DR HAYWARD CA	24880 MOHR DR 94545	377.00	2717 46
***** COMPLAINT INSPECTION FEE INSPECTION AT 24880 MOHR DR ON 11/15/11 & 12/12/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. COMPLAINT INSPECTION FEE INSPECTION AT 24880 MOHR DR ON 11/15/11 & 12/12/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.						

237469	03/22/2012	441 0074 011 00	CASTANEDA MARIA L 24880 MOHR DR HAYWARD CA	24880 MOHR DR 94545	200.00	2717 46
COMPLAINT INSPECTION FEE PROGRESS CHECK AT 24880 MOHR DR ON 2/8/12 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.						

40051	CASTANEDA, MARIA				TOTAL	577.00

237471	03/22/2012	464 0085 019 00	CHAND RAMEND & ALICE L 1425 THIEL RD HAYWARD CA	1425 THIEL RD 94544	554.00	2717 46
COMPLAINT INSPECTION FEE INSPECTION AT 1425 THIEL RD ON 1/9/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163/						

40500	CHAND, RAMEND & ALICE				TOTAL	554.00

229114	11/03/2011	428 0066 022 00	CHHADDVA HANSA V & GOGRI MAHES 46297 RAINDANCE RD FREMONT CA	22642 MISSION BLVD 94539	828.93	2717 46
COMPLAINT INSPECTION FEE SURVEY AT 22642 MISSION BLVD ON 7/20/11 & PROGRESS CHECKS ON 9/12/11 & 10/14/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. COMPLAINT INSPECTION FEE SURVEY AT 22642 MISSION BLVD ON 7/20/11 & PROGRESS CHECKS ON 9/12/11 & 10/14/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. COMPLAINT INSPECTION FEE SURVEY AT 22642 MISSION BLVD ON 7/20/11 & PROGRESS CHECKS ON 9/12/11 & 10/14/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.						

230740	01/26/2012	428 0066 022 00	CHHADDVA HANSA V & GOGRI MAHES 46297 RAINDANCE RD FREMONT CA	22642 MISSION BLVD 94539	110.00	2717 46
COMPLAINT INSPECTION FEE INSPECTION AT 22642 MISSION BLVD ON 11/28/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-						

4.

5.

6.

REPORT ID: FMIS-AR851
 DEPARTMENT: BUILDING INSPECTION

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 3 TIME: 08:46

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
*****4163.*****						
38703			CHHADDVA, HANSA V & GOGRI M	TOTAL	938.93	
224582	05/12/2011	453 0085 014 00	CHUBBUCK CAROLYN J HEIRS OF ES 702 BERYL PL HAYWARD CA	702 BERYL PL 94544	1,127.95	2717 46
7. COMPLAINT INSPECTION FEE PROGRESS CHECK AT 709 BERYL PL ON 4/11/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.						
3458			CHUBBUCK, KRISTINA	TOTAL	1,127.95	
230741	01/26/2012	456 0050 031 00	DIMALANTA MARLON & ZURITA ELEO 28315 MUSTANG DR HAYWARD CA	28315 MUSTANG DR 94545	582.00	2717 46
8. COMPLAINT INSPECTION FEE INSPECTION AT 28315 MUSTANG DR ON 11/10/11, 12/2/1 1 AND 12/19/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. COMPLAINT INSPECTION FEE INSPECTION AT 28315 MUSTANG DR ON 11/10/11, 12/2/1 1 AND 12/19/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. COMPLAINT INSPECTION FEE INSPECTION AT 28315 MUSTANG DR ON 11/10/11, 12/2/1 1 AND 12/19/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.						
237492	03/22/2012	456 0050 031 00	DIMALANTA MARLON & ZURITA ELEO 28315 MUSTANG DR HAYWARD CA	28315 MUSTANG DR 94545	400.00	2717 46
COMPLAINT INSPECTION FEE INSPECTION AT 28315 MUSTANG DR ON 1/20/12 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.						
40053			DIMALANTA, MARLON & ZURITA, EL	TOTAL	982.00	
229151	11/03/2011	078G 2772 001 04	GOGRI MAHESH & SHILPA 404 MIWOK CT FREMONT CA	32681 MISSION BLVD 94539	548.74	2717 46
9. COMPLAINT INSPECTION FEE PROGRESS CHECK AT 32681 MISSION BLVD ON 8/29/11 & 10/3/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. COMPLAINT INSPECTION FEE PROGRESS CHECK AT 32681 MISSION BLVD ON 8/29/11 & 10/3/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS						

REPORT ID: FMIS-AR851

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 4 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
***** CALL CYNTHIA AT 583-8541. *****						
15797				TOTAL	548.74	
GOGRI, MAHESH/SHILPA						
237504	03/22/2012	432 0060 083 00	GOMEZ RIGOBERTO ETAL 985 PHILLIPS WAY HAYWARD CA COMPLAINT INSPECTION FEE INSPECTION AT 985 PHILLIPS WAY ON 2/21/12 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL Y CYNTHIA AT 583-8541.	985 PHILLIPS WAY 94541	272.00	2717 46
10.						
40498				TOTAL	272.00	
GOMEZ, RIGOBERTO						
237505	03/22/2012	443 0005 061 00	CHRUN SAVATH 3800 MAGEE AVE OAKLAND CA COMPLAINT INSPECTION FEE SURVEY AT 24454 WILLIMET WAY ON 2/23/12 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.	24454 WILLIMET WAY 94619	272.00	2717 46
11.						
40501				TOTAL	272.00	
GONZALEZ, JUAN						
227503	08/11/2011	444 0072 012 00	GONZALEZ ROBERTO L 173 FARLEY ST MOUNTAIN VIEW CA FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 25553 FRANKLIN AVE ON 5/13/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.	25553 FRANKLIN AVE 94043	290.05	2717 46
12.						
19821				TOTAL	290.05	
GONZALEZ, ROBERT L						
227504	08/11/2011	444 0069 054 02	GRIEVE CHARLES H 100 LANDING CT B NOVATO CA FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AT 94 LUND AVE ON ON 7/19/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.	94 LUND AVE 94945	1,087.66	2717 46
13.						
229156	11/03/2011	444 0069 054 02	GRIEVE CHARLES H 100 LANDING CT B NOVATO CA FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE RESCHEDULED PROGRESS CHECKS AT 94 LUND AVE ON 9/23/11 & 10/25/11 WITH CYNTHIA JORDAN. FOR BILLIN QUESTIONS CALL CYNTHIA AT 583-8541.	94 LUND AVE 94945	334.48	2717 46

REPORT ID: FMIS-AR851

CITY OF HAYWARD
ACCOUNTS RECEIVABLE SYSTEM
INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
PAGE NO. 5 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION		STAT	

			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE RESCHEDULED PROGRESS CHECKS AT 94 LUND AVE ON 9/23/11 & 10/25/11 WITH CYNTHIA JORDAN. FOR BILLIN QUESTIONS CALL CYNTHIA AT 583-8541.			
230751	01/26/2012	444 0069 054 02	GRIEVE CHARLES H 100 LANDING CT B NOVATO CA	94 LUND AVE 94945	1,595.00	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 94 LUND AVE ON 12/13/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.			
237506	03/22/2012	444 0069 054 02	GRIEVE CHARLES H 100 LANDING CT B NOVATO CA	94 LUND AVE 94945	1,149.00	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 94 LUND AVE ON 2/6/12 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.			
16153			GRIEVE, CHARLES	TOTAL	4,166.14	
225393	06/23/2011	464 0085 021 00	HERNANDEZ ARNOLDO & ANGELICA 1386 THIEL RD HAYWARD CA	1386 THIEL RD 94544	358.61	2717 46
			COMPLAINT INSPECTION FEE SURVEY AT 1370 THIEL RD ON 5/25/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541			
227506	08/11/2011	464 0085 021 00	HERNANDEZ ARNOLDO & ANGELICA 1386 THIEL RD HAYWARD CA	1386 THIEL RD 94544	253.49	2717 46
			COMPLAINT INSPECTION FEE PROGRESS CHECK AT 13709 THEIL RD ON 7/1/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.			
230756	01/26/2012	464 0085 021 00	HERNANDEZ ARNOLDO & ANGELICA 1386 THIEL RD HAYWARD CA	1386 THIEL RD 94544	831.00	2717 46
			COMPLAINT INSPECTION FEE PROGRESS CHECK AT 1370 THEIL RD ON 8/15/11, 9/26/11 & 10/24/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. COMPLAINT INSPECTION FEE PROGRESS CHECK AT 1370 THEIL RD ON 8/15/11, 9/26/11 & 10/24/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. COMPLAINT INSPECTION FEE PROGRESS CHECK AT 1370 THEIL RD ON 8/15/11, 9/26/11 & 10/24/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.			

14.

REPORT ID: FMIS-AR851

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 6 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT STAT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			

32947			HERNANDEZ, ARNOLDO & ANGELICA	TOTAL	1,443.10	

224600	05/12/2011	431 0004 044 00	VILLAGOMEZ JOSE R 577 SMALLEY AVE HAYWARD CA	577 SMALLEY AVE 94541	1,279.03	2717 46
			FOCUS AREA-SINGLE FAMILY INSP MANDATORY PENALTY PROGRESS CHECK AT 577 SMALLEY AVE ON 5/3/11 WITH CYNTHIA JORDNA. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. FOCUS AREA-SINGLE FAMILY INSPECTION MANDATORY FEE PROGRESS CHECK AT 577 SMALLEY AVE ON 5/3/11 WITH CYNTHIA JORDNA. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.			

227507	08/11/2011	431 0004 044 00	VILLAGOMEZ JOSE R 577 SMALLEY AVE HAYWARD CA	577 SMALLEY AVE 94541	2,452.40	2717 46
			FOCUS AREA-SINGLE FAMILY INSPECTION MANDATORY FEE PROGRESS CHECK AT 577 SMALLEY AVE ON 6/13/11 & 7/21/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. FOCUS AREA-SINGLE FAMILY INSPECTION MANDATORY FEE PROGRESS CHECK AT 577 SMALLEY AVE ON 6/13/11 & 7/21/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.			

32489			HERNANDEZ, BLANCA & RAMON	TOTAL	3,731.43	

225395	06/23/2011	078C 0455 009 00	HURST RANDALL P & MARJORIE E 673 & 681 OVERHILL DR HAYWARD CA	673 OVERHILL DR 94544	1,261.53	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 673 OVERHILL DR ON 5/20/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			

227508	08/11/2011	078C 0455 009 00	HURST RANDALL P & MARJORIE E 673 & 681 OVERHILL DR HAYWARD CA	673 OVERHILL DR 94544	2,084.70	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 673 OVERHILL DR ON 6/28/11 & 8/1/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 673 OVERHILL DR ON 6/28/11 & 8/1/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			

237511	03/22/2012	078C 0455 009 00	HURST RANDALL P & MARJORIE E 673 & 681 OVERHILL DR HAYWARD CA	673 OVERHILL DR 94544	2,000.00	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 673 OVERHILL DR ON 10/20/11 &			

15.

14.

REPORT ID: FMIS-AR851

CITY OF HAYWARD
ACCOUNTS RECEIVABLE SYSTEM
INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
PAGE NO. 7 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT

	12/07/11		WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 673 OVERHILL DR ON 10/20/11 & 12/07/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			

4934			HURST, RANDALL P & MARJORIE E	TOTAL	5,346.23	

224604	05/12/2011	452 0068 071 00	INGUANZO JULIO & VIOLA 688 SANDHILL CRANE DR LOS BANOS CA NONFOCUS AREA-SINGLE FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 27779 E 11TH ST ON 5/3/11 WITH FRED POWELL. FOR BILLING QUESTIONS CALL FRED AT 583-4162.	27779 E 11TH ST 93635	142.15	2717 46
17.						

225398	06/23/2011	452 0068 071 00	INGUANZO JULIO & VIOLA 688 SANDHILL CRANE DR LOS BANOS CA NONFOCUS AREA-SINGLE FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 27779 E. 11TH ST ON 6/6/11 WITH FRED POWELL. FOR BILLING QUESTIONS CALL FRED AT 583-4162.	27779 E 11TH ST 93635	412.72	2717 46

227509	08/11/2011	452 0068 071 00	INGUANZO JULIO & VIOLA 688 SANDHILL CRANE DR LOS BANOS CA FOCUS AREA-SINGLE FAMILY INSPECTION MANDATORY FEE PROGRESS CHECK AT 27779 E 11TH ST ON 7/12/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.	27779 E 11TH ST 93635	613.84	2717 46

229176	11/03/2011	452 0068 071 00	INGUANZO JULIO & VIOLA 688 SANDHILL CRANE DR LOS BANOS CA FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 27779 E. 11TH ST ON 8/26/11 & 10/5/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 27779 E. 11TH ST ON 8/26/11 & 10/5/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.	27779 E 11TH ST 93635	1,210.07	2717 46

24302			INGUANZO, JULIO & VIOLA	TOTAL	2,378.78	

237518	03/22/2012	431 0080 168 00	KAUR MANDEEP 354 JERILYNN LN HAYWARD CA COMPLAINT INSPECTION FEE INSPECTION AT 354 JERILYNN LN ON 3/2/12 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA	354 JERILYNN LN 94541	272.00	2717 46
18.						

REPORT ID: FMIS-AR851

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 8 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT STAT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			
***** AT 583-8541. *****						
40495				TOTAL	272.00	
KAUR, MANDEEP						
224610	05/12/2011	453 0040 067 00	LANSANG ANITA G ETAL 2248 TANGER CT UNION CITY CA FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AT 665 SHEPHERD AVE ON 5/9/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.	665 SHEPHERD AVE 94587	367.17	2717 46
LANSANG, ANITA G						
26253				TOTAL	367.17	
LANSANG, ANITA G						
227513	08/11/2011	453 0040 067 00	LANSANG ANITA G ETAL 2248 TANGER CT UNION CITY CA FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 665 SHEPHERD AVE ON 6/14/11 & 7/18/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 665 SHEPHERD AVE ON 6/14/11 & 7/18/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.	665 SHEPHERD AVE 94587	463.61	2717 46
LANSANG, ANITA G & EDIBERTO B						
15327				TOTAL	463.61	
LANSANG, ANITA G & EDIBERTO B						
237522	03/22/2012	453 0005 084 01	LE KHA & TRAN MAI H TRS 2822 BREAKER CIR HAYWARD CA FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 25886 GADING RD ON 2/7/12 & 3/7/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 25886 GADING RD ON 2/7/12 & 3/7/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.	25886 GADING RD 94545	134.00	2717 46
LE, KHA & TRAN MAI H TRS						
34164				TOTAL	134.00	
LE, KHA & TRAN MAI H TRS						
227517	08/11/2011	432 0044 018 00	LOPEZ ALLAN V & LIANA L TRS 7424 BRIGHTON PL DUBLIN CA FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 22406 VICTORY DR ON 6/24/11 & 8/1/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.	22406 VICTORY DR 94568	1,454.33	2717 46
LOPEZ, ALLAN & LIANA						

19.

20.

21.

REPORT ID: FMIS-AR851

CITY OF HAYWARD
ACCOUNTS RECEIVABLE SYSTEM
INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
PAGE NO. 9 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT

			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 22406 VICTORY DR ON 6/24/11 & 8/1/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			
229197	11/03/2011	432 0044 018 00	LOPEZ ALLAN V & LIANA L TRS 7424 BRIGHTON PL DUBLIN CA	22406 VICTORY DR 94568	1,210.07	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 22406 VICTORY DR ON 10/13/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			
230763	01/26/2012	432 0044 018 00	LOPEZ ALLAN V & LIANA L TRS 7424 BRIGHTON PL DUBLIN CA	22406 VICTORY DR 94568	2,310.00	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 22406 VICTORY DR ON 11/29/11 & 1/5/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 22406 VICTORY DR ON 11/29/11 & 1/5/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			
237527	03/22/2012	432 0044 018 00	LOPEZ ALLAN V & LIANA L TRS 7424 BRIGHTON PL DUBLIN CA	22406 VICTORY DR 94568	2,300.00	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 22406 VICTORY DR ON 2/10/12 & 3/14/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 22406 VICTORY DR ON 2/10/12 & 3/14/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			
35321			LOPEZ, ALLAN & LIANA	TOTAL	7,274.40	
227518	08/11/2011	453 0045 034 00	LOPEZ RAYMUNDO S & MELANIE P 27141 BELVEDERE CT HAYWARD CA	27141 BELVEDERE CT 94544	1,719.08	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRES CHECK AT 27141 BELVEDERE CT ON 6/15/11 & 7/21/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.			
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PRORES CHECK AT 27141 BELVEDERE CT ON 6/15/11 & 7/21/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.			

22.

REPORT ID: FMIS-AR851
 DEPARTMENT: BUILDING INSPECTION

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 10 TIME: 08:46

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
229198	11/03/2011	453 0045 034 00	LOPEZ RAYMUNDO S & MELANIE P 27141 BELVEDERE CT HAYWARD CA	27141 BELVEDERE CT 94544	2,087.71	2717 46

FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 27141 BELVEDERE CT ON 8/23/11 & 9/27/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 27141 BELVEDERE CT ON 8/23/11 & 9/27/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.						

23280	LOPEZ, RAYMUNDO & MELANIE				TOTAL	3,806.79

229701	12/01/2011	415 0240 031 00	MATOVIC ENTERPRISE INC 1240 MONTEREY BLVD SAN FRANCISCO CA	1283 RUSSELL WAY 94127	2,213.25	2717 46

COMPLAINT INSPECTION FEE PROGRESS CHECK INSPECTIONS AT 1283 RUSSELL WAY ON 8/5/11, 9/27/11 & 11/10/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. COMPLAINT INSPECTION FEE PROGRESS CHECK INSPECTIONS AT 1283 RUSSELL WAY ON 8/5/11, 9/27/11 & 11/10/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. COMPLAINT INSPECTION FEE PROGRESS CHECK INSPECTIONS AT 1283 RUSSELL WAY ON 8/5/11, 9/27/11 & 11/10/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.						

32276	MATOVIC ENT INC				TOTAL	2,213.25

237534	03/22/2012	431 0092 134 01	MEDINA ANGEL & CECILIA 3372 MISSION VIEW DR FREMONT CA	347 EL DORADO AVE 94538	802.00	2717 46

FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK INSPECTIONS AT 347 EL DORADO AVE ON 11/30/11, 1/19/12 & 3/6/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK INSPECTIONS AT 347 EL DORADO AVE ON 11/30/11, 1/19/12 & 3/6/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK INSPECTIONS AT 347 EL DORADO AVE ON 11/30/11, 1/19/12 & 3/6/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.						

24626	MEDINA, ANGEL & CECILIA				TOTAL	802.00

23

24

REPORT ID: FMIS-AR851

CITY OF HAYWARD
ACCOUNTS RECEIVABLE SYSTEM
INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
PAGE NO. 11 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
230766	01/26/2012	453 0080 001 02	NORTHERN CALIFORNIA COMMUNITY NORTHERN CALIF DEV CX	27597 TYRRELL AVE 94544	768.00	2717 46
<p>25.</p> <p>FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AT 27597 TYRRELL AVE ON 9/8/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.</p>						
16292			NORTHERN CALIF DEV CX	TOTAL	768.00	
230770	01/26/2012	431 0056 056 02	ORTIZ BASISLIO S ORTIZ, VICTOR/BASISLIO	190 WINTON AVE 94544	266.59	2717 46
<p>26.</p> <p>COMPLAINT INSPECTION FEE INSPECTION AT 190 W WINTON AVE ON 11/28/11 & 1/4/12 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. COMPLAINT INSPECTION FEE INSPECTION AT 190 W WINTON AVE ON 11/28/11 & 1/4/12 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.</p>						
237538	03/22/2012	431 0056 056 02	ORTIZ BASISLIO S ORTIZ, VICTOR/BASISLIO	190 WINTON AVE 94544	200.00	2717 46
<p>COMPLAINT INSPECTION FEE PROGRESS CHECK AT 190 W WINTON AVE ON 2/6/12 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.</p>						
37521			ORTIZ, VICTOR/BASISLIO	TOTAL	466.59	
224623	05/12/2011	078C 0639 003 00	PINTO JUAN J & MARGARITA PINTO, JUAN J & MARGARITA	872 DOUGLAS ST 94544	153.93	2717 46
<p>27.</p> <p>COMPLAINT INSPECTION FEE ATTEMPTED PROGRESS CHECK AT 872 DOUGLAS ST ON 5/26/11 @ 11:30AM WITH FRED POWELL. FOR BILLING QUESTIONS CALL FRED AT 583-4162.</p>						
225413	06/23/2011	078C 0639 003 00	PINTO JUAN J & MARGARITA PINTO, JUAN J & MARGARITA	872 DOUGLAS ST 94544	204.76	2717 46
<p>COMPLAINT INSPECTION FEE PROGRESS CHECK AT 872 DOUGLAS ST ON 5/26/11 WITH FRED POWELL. FOR BILLING QUESTIONS CALL FRED AT 583-4162.</p>						
227533	08/11/2011	078C 0639 003 00	PINTO JUAN J & MARGARITA PINTO, JUAN J & MARGARITA	872 DOUGLAS ST 94544	409.38	2717 46
<p>COMPLAINT INSPECTION FEE PROGRESS CHECK AT 872 DOUGLAS ST ON 7/6/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA</p>						

REPORT ID: FMIS-AR851

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 12 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT STAT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			

AT 583-8541.						

37619				TOTAL	768.07	
			PINTO, JUAN J & MARGARITA			

229254	11/03/2011	453 0025 015 00	PRASAD RAMESH & SHAKUNTALA 25719 FRANKLIN AVE HAYWARD CA	26548 CHISHOLM CT 94544	300.49	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AT 26548 CHISHOLM CT ON 9/27/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.			

15549				TOTAL	300.49	
			PRASAD, RAMESH & SHAKUNTALA			

227535	08/11/2011	453 0060 002 00	REDDY YAGAMBARAM & LACHMI 229 SAN ANSELMO AVE N SAN BRUNO CA	660 SHEPHERD AVE 94066	378.50	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AT 660 SHEPHERD AVE ON 5/9/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.			

22510				TOTAL	378.50	
			REDDY, YAGAMBARAM & LACHMI			

237552	03/22/2012	444 0051 061 00	RIVENBARK HAROLD W & BETTY J 25062 SOTO RD HAYWARD CA	25062 SOTO RD 94544	680.00	2717 46
			COMPLAINT INSPECTION FEE INSPECTION AT 25062 SOTO RD ON 11/18/11, 1/26/12 & 2/27/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. COMPLAINT INSPECTION FEE INSPECTION AT 25062 SOTO RD ON 11/18/11, 1/26/12 & 2/27/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. COMPLAINT INSPECTION FEE INSPECTION AT 25062 SOTO RD ON 11/18/11, 1/26/12 & 2/27/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			

22234				TOTAL	680.00	
			RIVENBARK, HAROLD W & BETTY J			

225417	06/23/2011	453 0065 001 05	ROBLES ANTONIO G & PUENTES JOS 354 SHEPHERD AVE HAYWARD CA	354 SHEPHERD AVE 94544	358.61	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AT 354 SHEPHERD AVE ON 6/1/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			

28.

29.

30.

31.

REPORT ID: FMIS-AR851

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 13 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
230777	01/26/2012	453 0065 001 05	ROBLES ANTONIO G & PUENTES JOS 354 SHEPHERD AVE HAYWARD CA	354 SHEPHERD AVE 94544	717.00	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 354 SHEPHERD AVE ON 8/31/11, 10/26/11, & 12/6/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 354 SHEPHERD AVE ON 8/31/11, 10/26/11, & 12/6/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 354 SHEPHERD AVE ON 8/31/11, 10/26/11, & 12/6/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			
237553	03/22/2012	453 0065 001 05	ROBLES ANTONIO G & PUENTES JOS 354 SHEPHERD AVE HAYWARD CA	354 SHEPHERD AVE 94544	1,200.00	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 354 SHEPHERD AVE ON 1/11/12 & 2/28/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 354 SHEPHERD AVE ON 1/11/12 & 2/28/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			
34211			ROBLES, ANTONIO G & PUENTES JO	TOTAL	2,275.61	
227537	08/11/2011	453 0060 021 02	ROSAL MANUEL & EDNA 3316 SAN MARCO CT UNION CITY CA	27495 MANON AVE 94587	829.92	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 27495 MANON AVE ON 5/12/11, 6/16/11 & 7/22/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 27495 MANON AVE ON 5/12/11, 6/16/11 & 7/22/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 27495 MANON AVE ON 5/12/11, 6/16/11 & 7/22/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			
229278	11/03/2011	453 0060 021 02	ROSAL MANUEL & EDNA 3316 SAN MARCO CT UNION CITY CA	27495 MANON AVE 94587	136.67	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 27495 MANON AVE ON 7/22/11 & 8/29/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			

32.

REPORT ID: FMIS-AR851

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 14 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT

21472			ROSAL, MANUEL & EDNA	TOTAL	966.59	

229284	11/03/2011	431 0036 089 00	SANCHEZ LIBORIO 22797 ALICE ST HAYWARD CA	22797 ALICE ST 94541	870.23	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 22797 ALICE ST ON 8/4/11 & 9/27/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 22797 ALICE ST ON 8/4/11 & 9/27/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			

237561	03/22/2012	431 0036 089 00	SANCHEZ LIBORIO 22797 ALICE ST HAYWARD CA	22797 ALICE ST 94541	3,150.00	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 22797 ALICE ST ON 11/3/11, 12/21/11 & 2/17/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 22797 ALICE ST ON 11/3/11, 12/21/11 & 2/17/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 22797 ALICE ST ON 11/3/11, 12/21/11 & 2/17/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.			

18715			SANCHEZ, LIBORIO	TOTAL	4,020.23	

225421	06/23/2011	431 0028 048 00	SANDRI CHERYL ETAL 331 ROTARY ST HAYWARD CA	331 ROTARY ST 94541	412.72	2717 46
			COMPLAINT INSPECTION FEE PROGRESS CHECK AT 331 ROTARY ST ON 5/27/11 WITH FRED POWELL. FOR BILLING QUESTIONS CALL FRED AT 583-4162.			

229287	11/03/2011	431 0028 048 00	SANDRI CHERYL ETAL 331 ROTARY ST HAYWARD CA	331 ROTARY ST 94541	1,570.60	2717 46
			COMPLAINT INSPECTION FEE PROGRESS CHECK AT 331 ROTARY ST ON 7/7/11 & 8/16/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541. COMPLAINT INSPECTION FEE PROGRESS CHECK AT 331 ROTARY ST ON 7/7/11 & 8/16/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.			

33.

34.

REPORT ID: FMIS-AR851

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 15 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
237563	03/22/2012	431 0028 048 00	SANDRI CHERYL ETAL 331 ROTARY ST HAYWARD CA COMPLAINT INSPECTION FEE PROGRESS CHECK AT 331 ROTARY ST ON 2/17/12 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.	331 ROTARY ST 94541	1,150.00	2717 46
37279 SANDRI, CHERYL					TOTAL	3,133.32
230782	01/26/2012	078C 0637 014 00	SANTOS JOHN J & MARIA D 28837 BAY HEIGHTS HAYWARD CA COMPLAINT INSPECTION FEE INSPECTION AT 725/737 DOUGLAS ST ON 11/28/11 & 1/4/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. COMPLAINT INSPECTION FEE INSPECTION AT 725/737 DOUGLAS ST ON 11/28/11 & 1/4/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.	737 DOUGLAS ST 94542	1,210.00	2717 46
39568 SANTOS, JOHN & MARIA					TOTAL	1,210.00
227539	08/11/2011	453 0040 020 13	SANTOYO ALEJANDRA 485 SHEPHERD AVE HAYWARD CA FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AT 485 SHEPHERD AVE ON 4/8/11, PROGRESS CHECKS ON 5/11/11 & 6/14/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AT 485 SHEPHERD AVE ON 4/8/11, PROGRESS CHECKS ON 5/11/11 & 6/14/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AT 485 SHEPHERD AVE ON 4/8/11, PROGRESS CHECKS ON 5/11/11 & 6/14/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.	485 SHEPHERD AVE 94544	588.63	2717 46
29029 SANTOYO, ALEJANDRA					TOTAL	588.63
224628	05/12/2011	416 0140 032 04	SEAH TINA 1764 D ST HAYWARD CA COMPLAINT INSPECTION FEE PROGRESS CHECK ATTEMPTS AT 1764 D ST ON 3/7/11, 4/6/11 AND 5/6/11 WITH FRED POWELL. FOR BILLING QUESTIONS CALL FRED AT 583-4162.	1764 D ST 94541	3,261.35	2717 46

35.

36.

37.

REPORT ID: FMIS-AR851

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 16 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	INVOICE DESCRIPTION	PARCEL LOCATION	BALANCE DUE	DEPT STAT

				COMPLAINT INSPECTION FEE PROGRESS CHECK ATTEMPTS AT 1764 D ST ON 3/7/11, 4/6/11 AND 5/6/11 WITH FRED POWELL. FOR BILLING QUESTIONS CALL FRED AT 583-4162. COMPLAINT INSPECTION FEE PROGRESS CHECK ATTEMPTS AT 1764 D ST ON 3/7/11, 4/6/11 AND 5/6/11 WITH FRED POWELL. FOR BILLING QUESTIONS CALL FRED AT 583-4162.			
225422	06/23/2011	416 0140 032 04	SEAH TINA 1764 D ST HAYWARD CA	COMPLAINT INSPECTION FEE PROGRESS CHECK AT 1764 D ST ON 6/7/11 WITH FRED POWELL. FOR BILLING QUESTIONS CALL FRED AT 583- 4162.	1764 D ST 94541	1,102.38	2717 46
237566	03/22/2012	416 0140 032 04	SEAH TINA 1764 D ST HAYWARD CA	COMPLAINT INSPECTION FEE INSPECTION AT 1764 D ST ON 2/16/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.	1764 D ST 94541	1,000.00	2717 46
25720			SEAH, TINA		TOTAL	5,363.73	
229296	11/03/2011	445 0150 004 00	SPICER KEVIN 24560 MISSION BLVD HAYWARD CA	COMPLAINT INSPECTION FEE SURVEY AND PROGRESS CHECK AT 24557 SYBIL ST ON 7/22/11 & 9/29/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. COMPLAINT INSPECTION FEE SURVEY AND PROGRESS CHECK AT 24557 SYBIL ST ON 7/22/11 & 9/29/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.	24557 SYBIL ST 94544	546.68	2717 46
6459			SPICER, KEVIN		TOTAL	546.68	
230786	01/26/2012	444 0075 120 03	TAIRA MAURICE E & KAREN S 25753 WHITMAN ST HAYWARD CA	COMPLAINT INSPECTION FEE INSPECTION AT 25753 WHITMAN ST ON 9/1/11 & 10/3/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. COMPLAINT INSPECTION FEE INSPECTION AT 25753 WHITMAN ST ON 9/1/11 & 10/3/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.	25753 WHITMAN ST 94544	436.00	2717 46

38.

39.

REPORT ID: FMIS-AR851
 DEPARTMENT: BUILDING INSPECTION

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 17 TIME: 08:46

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT STAT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			
34388			TALIAFERRO JOSEPH D	TOTAL	436.00	
			TAIRA MAURICE E & KAREN S			

225426	06/23/2011	463 0006 058 00	TALIAFERRO JOSEPH D 1815 OSAGE AVE HAYWARD CA	1815 OSAGE AVE 94545	793.63	2717 46
			COMPLAINT INSPECTION FEE PROGRESS CHECK AT 1815 OSAGE AVE ON 5/18/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.			

229301	11/03/2011	463 0006 058 00	TALIAFERRO JOSEPH D 1815 OSAGE AVE HAYWARD CA	1815 OSAGE AVE 94545	287.10	2717 46
			COMPLAINT INSPECTION FEE PROGRESS CHECK AT 1815 OSAGE AVE ON 8/29/11 & 10/17/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTION CALL CYNTHIA AT 583-8541. COMPLAINT INSPECTION FEE PROGRESS CHECK AT 1815 OSAGE AVE ON 8/29/11 & 10/17/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTION CALL CYNTHIA AT 583-8541.			

230787	01/26/2012	463 0006 058 00	TALIAFERRO JOSEPH D 1815 OSAGE AVE HAYWARD CA	1815 OSAGE AVE 94545	164.00	2717 46
			COMPLAINT INSPECTION FEE INSPECTION AT 1815 OSAGE AVE ON 11/28/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.			

38206			TALIAFERRO, JOSEPH	TOTAL	1,244.73	

224635	05/12/2011	464 0055 009 00	THOMAS VICTORIA B PO BOX 877 SAN LEANDRO CA	28111 HARVEY AVE 94577	482.89	2717 46
			NONFOCUS AREA - MULTI FAMILY INSP MANDATOR FEE SURVEY AT 28111 HARVEY AVE ON 4/15/11 WITH FRED POWELL. FOR BILLING QUESTIONS CALL FRED AT 583- 4162.			

225431	06/23/2011	464 0055 009 00	THOMAS VICTORIA B PO BOX 877 SAN LEANDRO CA	28111 HARVEY AVE 94577	373.47	2717 46
			NONFOCUS AREA - MULTI FAMILY INSP MANDATOR FEE PROGRESS CHECK AT 28111 HARVEY AVE ON 5/31/11 WITH FRED POWELL. FOR BILLING QUESTIONS CALL FRED AT 583-4162.			

227542	08/11/2011	464 0055 009 00	THOMAS VICTORIA B PO BOX 877 SAN LEANDRO CA	28111 HARVEY AVE 94577	574.97	2717 46
			FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 28111 HARVEY AVE ON 7/6/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA			

40.

41.

REPORT ID: FMIS-AR851

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 18 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT	
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT	

AT 583-8541.							
229308	11/03/2011	464 0055 009 00	THOMAS VICTORIA B THOMAS, VICTORIA B	28111 HARVEY AVE 94577 SAN LEANDRO CA	759.91	2717 46	
FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 28111 HARVEY AVE ON 8/24/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.							
2088	TOTAL					2,191.24	
224636	05/12/2011	453 0035 018 00	TOPETE MIGUEL TOPETE, MIGUEL & SOCORRO	708 PARDEE CT 95363 PATTERSON CA	458.05	2717 46	
FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 708 PARDEE CT ON 4/22/11 WITH CYNTHIA JORDAN. FOR BILLING QUESTIONS CALL CYNTHIA AT 583-8541.							
7345	TOTAL					458.05	
229312	11/03/2011	453 0060 035 02	TRAN HUNG L TRAN, HUNG L	27426 TYRRELL AVE 94587 UNION CITY CA	442.64	2717 46	
FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AND PROGRESS CHECK AT 27426 TYRRELL AVE ON 8/3/11 & 9/28/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AND PROGRESS CHECK AT 27426 TYRRELL AVE ON 8/3/11 & 9/28/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.							
37837	TOTAL					442.64	
229315	11/03/2011	453 0085 003 04	TUCKER JAMES TUCKER, JAMES	27572 TYRRELL AVE 94544 HAYWARD CA	408.65	2717 46	
FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AND PROGRESS CHECK AT 27572 TYRRELL AVE ON 9/6/11 & 10/17/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AND PROGRESS CHECK AT 27572 TYRRELL AVE ON 9/6/11 & 10/17/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.							

42.

43.

44.

REPORT ID: FMIS-AR851

CITY OF HAYWARD
ACCOUNTS RECEIVABLE SYSTEM
INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
PAGE NO. 19 TIME: 08:46

DEPARTMENT: BUILDING INSPECTION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION		STAT	
237585	03/22/2012	453 0085 003 04	TUCKER JAMES 27572 TYRRELL AVE HAYWARD CA FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 27572 TYRRELL AVE ON 11/29/11, 1/5/12, AND 2/17/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4136. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 27572 TYRRELL AVE ON 11/29/11, 1/5/12, AND 2/17/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4136. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 27572 TYRRELL AVE ON 11/29/11, 1/5/12, AND 2/17/12 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4136.	27572 TYRRELL AVE 94544	708.00	2717 46

22532			TUCKER, JAMES	TOTAL	1,116.65	

227544	08/11/2011	453 0035 004 00	VALDIVIA LUZ A & TORIBIO 15185 S MONTEREY RD MORGAN HILL CA FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 26945 TYRRELL AVE ON 6/20/11 & 7/21/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163. FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE PROGRESS CHECK AT 26945 TYRRELL AVE ON 6/20/11 & 7/21/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.	26945 TYRRELL AVE 95037	359.67	2717 46

227545	08/11/2011	453 0035 005 00	VALDIVIA LUZ A & TORIBIO 15185 S MONTEREY RD MORGAN HILL CA FOCUS AREA - MULTI FAMILY INSP MANDATORY FEE SURVEY AT 26963 TYRRELL AVE ON 5/18/11 WITH JIM OLSON. FOR BILLING QUESTIONS CALL JIM AT 583-4163.	26963 TYRRELL AVE 95037	317.23	2717 46

27760			VALDIVIA, LUZ A & TORIBIO	TOTAL	676.90	

227548	08/11/2011	453 0055 043 00	WELLS FARGO BANK 4101 WISEMAN BLVD SAN ANTONIO TX FOCUS AREA-SINGLE FAMILY INSPECTION MANDATORY FEE SURVEY AT 27323 TYRRELL AVE ON 7/19/11 WITH JIM OLSON.FOR BILLING QUESTIONS CALL JIM AT 583-4163.	27323 TYRRELL AVE 78251	321.78	2717 46

35789			WELLS FARGO BANK	TOTAL	321.78	

45.

46.

DATE: June 12, 2012
TO: Mayor and City Council
FROM: Assistant City Manager
SUBJECT: Report and Assessment for Community Preservation Fees Past Due

RECOMMENDATION

That Council adopts the attached resolution (Attachment I) confirming the report and assessment for overdue community preservation charges, for the period from January 1, 2011 through April 30, 2012 (Attachment II and III), and authorizing the assessments to become a special assessment against the properties if not paid on or before July 27, 2012.

BACKGROUND

The purpose of the Special Assessment confirmation is to consider the proposed report and assessment list for unpaid community preservation fees and to determine whether a special assessment should be placed on these properties.

Article 7, Chapter 5 of the Hayward Municipal Code (HMC), otherwise known as the Community Preservation Ordinance, currently makes it unlawful for Hayward property owners to allow the condition of their property to deteriorate to the point that it becomes detrimental to the public health, safety, or general welfare of the community. This includes both inhabited properties and vacant properties, whether residential or commercial. Typical violations include debris, trash, vegetation, graffiti, signs, zoning issues, and abandoned and/or inoperable vehicles.

“Public nuisance” is defined in the Ordinance, as are the procedures for enforcing the Ordinance. The Ordinance provides due process protections that guarantee the property owners who are cited for violations of the Ordinance, notice and the opportunity to be heard.

Once a violation of the Ordinance has been established at a particular property and all appropriate notifications have been made, fines, fees, penalties and/or abatement of the violation can and will be imposed. Consequently, once the property owner has exhausted his or her administrative remedies, the property owner must then pay any and all costs related to his/her property violations in the appropriate timeframe set forth in the Ordinance. If those costs are not paid in full prior to the July deadline each year, the unpaid charges are then scheduled for special assessment against the property once confirmed and authorized by Council resolution.

DISCUSSION

The costs that make up the special assessment charges were calculated pursuant to the City's Master Fee Schedule. Fines and fees include: failed re-inspection(s) fees; abatement related costs; contractor fees; subsequent violation(s); liens; and past due fees.

As of the date of this writing, there are overdue bills (including contractor costs) affecting sixty-nine properties amounting approximately \$129,404.08. The accounts receivable list is attached as Attachment II and III.

The unpaid charges, plus any administrative costs of the City and County, will become a special assessment against the property and will appear on the property owners' November tax bills. A Notice to Abate, sent by mail with proof of service, was mailed to each property owner, and tenant if applicable, in accordance with the Ordinance. Property owners were given an opportunity for an Administrative Hearing to dispute the factual findings and/or assessment of fees. Forty Administrative and/or Special Assessment Hearings were requested and conducted for the period from January 1, 2011 through April 30, 2012. Additionally, after three past due invoices were mailed to the property owners, a Final Invoice was sent by certified mail on May 11, 2012 advising the property owners of the impending assessment against their property pursuant to Government Code Section 38773.5.

FISCAL IMPACT

There is no negative fiscal impact to the City's General Fund. This process helps ensure cost recovery for services rendered in the enforcement of the City's Community Preservation Ordinance. There will be cost recovery reimbursed through special assessment or other collection processes. For example, in CY 2011, 97% of all weed abatement past due fines and fees totaling \$76,179.63, and 93% of Community Preservation past due fees totaling \$105,068.58 that were levied through special assessments have been collected thus far. Staff anticipates that remaining fees will be collected on the November 2012 or April 2013 tax bills. The City of Hayward annually receives two special assessment allocations from the County, one in December and one in April.

PUBLIC CONTACT

Notice of City Council's confirmation of this report was published in the Daily Review on June 2, 2012. In addition, all first invoices include specific language giving the property owner an opportunity for a Special Assessment Hearing to contest the fees and/or penalties and encouraging them to pay their bills to minimize additional fees and to avoid being placed on the proposed assessment list. As mentioned above, staff conducted forty administrative hearings regarding community preservation assessments. Property owners have until July 27, 2012 to pay all outstanding fees.

NEXT STEPS

A copy of the Special Assessment List will be forwarded by the City of Hayward's Revenue Division to the Alameda County Assessor's Office. Upon receipt, the Assessor's Office will attach the City of Hayward's fees past due as a special assessment against each parcel. That assessment will then appear on the property owners' November 2012 property tax bill for collection. When the County Assessor receives the tax payment, the City of Hayward will be reimbursed by the Assessor's Office typically after payment of the second installment in April of the following year

Prepared by: Stacey Bristow, Neighborhood Partnership Manger

Recommended by: Kelly McAdoo Morariu, Assistant City Manager

Approved by:



Fran David, City Manager

- Attachments:
- I Resolution
 - II 2011 Proposed Community Preservation Accounts Receivable List
 - III 2011 Proposed Weed Abatement Accounts Receivable List

HAYWARD CITY COUNCIL

RESOLUTION NO.

Introduced by Council Member

RESOLUTION CONFIRMING THE REPORT AND SPECIAL
ASSESSMENT LIST ASSOCIATED WITH OVERDUE
COMMUNITY PRESERVATION CHARGES FOR THE
PERIOD FROM JANUARY 1, 2011 THROUGH APRIL 30, 2012

WHEREAS, in connection with the Community Preservation Program, the Neighborhood Partnership Manager has rendered an itemized report in writing to this Council showing the Community Preservation violations and cost of fines, fees and penalties of removing weeds, rubbish, refuse, and litter from certain properties in the City of Hayward described in the report, all as required by section 5-7.100 of the Municipal Code of the City of Hayward; and

WHEREAS, the hour of 7 p.m. on Tuesday, June 12, 2012 in the Council Chambers, City Hall, 777 B Street, Hayward, California, was fixed as the time and place for this Council to receive and consider the report, and a copy of the report has been posted and published in the manner required by section 5-7.110 of the Municipal Code; and

WHEREAS, the report was presented at the time and place fixed, and the City Council has considered the report and all comments with respect thereto.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that, except as may be amended by Council, the report of the Neighborhood Partnership Manager of the City of Hayward Community Preservation Program on the ordinance violations and cost of removing weeds, rubbish, refuse, and litter from the properties therein described, a copy of which is attached hereto, is hereby confirmed.

BE IT FURTHER RESOLVED that payments of assessments confirmed hereby may be received by the City of Hayward Finance Director up to the hour of 5 p.m. on July 27, 2012, and thereafter such official shall transmit the unpaid assessments to the County Auditor for collection on the property tax roll.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

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

REPORT ID: FMIS-AR851

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 1 TIME: 08:46

DEPARTMENT: COMMUNITY PRESERVATION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT	
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT	
230602	01/12/2012	431 0088 043 05	AGPOON NESTOR L & REYNIELDA B AGPOON, NESTOR L & REYNIELDA B	17100 ROLANDO AVE CASTRO VALLEY CA 94546	152 EL DORADO AVE 94546	1,981.50 4630 003 46	
***** CP11-3498 - FAILED INSPECTION - FIRST \$622.00 ABATEMENT COST -- \$992.00 CONTRACTOR ABATEMENT CHARGE -- \$367.50 @152 EL DORADO AVE; APN: 431-0088-043-05 IF QUESTIONS CALL INSP. PORTILLO (583-4138)							

30863	AGPOON, NESTOR L & REYNIELDA B					TOTAL	1,981.50

194029	11/20/2008	456 0048 004 02	ARF LLC ARF LLC	25711 DOLLAR ST 2 HAYWARD CA 94544	ARF AVE 94544	723.32 4630 003 46	
***** COMM PRES INSPECTION FEE CASE CP08-1484; FAILED COMMUNITY PRES REINSPECTION DONE ON 10/28/08 AT ARF & BAUMBERG; APN 456-0048-004-02. IF QUESTIONS, CALL INSPECTOR HADDAN AT 510/583-4170.							

194736	01/08/2009	456 0048 004 02	ARF LLC ARF LLC	25711 DOLLAR ST 2 HAYWARD CA 94544	ARF AVE 94544	2,740.78 4630 003 46	
***** COMM PRES INSPECTION FEE CASE CP08-1484; FAILED COMMUNITY PRES REINSPECTION DONE 11/21/08 AT ARF & BAUMBERG; APN 456-0048-004-02 @ \$709.00 PLUS CONTRACTOR CHARGES ON 12/19/08 @ \$784.03 PLUS ABATEMENT CHARGE PER PARCEL @ \$967.00. QUESTIONS CALL INSPECTOR HADDAN 510/583-4170.							

230118	12/16/2011	456 0048 004 02	ARF LLC ARF LLC	25711 DOLLAR ST 2 HAYWARD CA 94544	ARF AVE 94544	2,219.43 4630 003 46	
***** COMM PRES INSPECTION FEE CASE CP11-2979; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR ABATEMENT FEE @ \$563.50 PLUS PER-PARCEL ABATEMENT CHARGE @ \$992.00 AT ARF AV; APN 456-0048-004-02. CALL INSPECTOR FLORES AT 510/583-4158 IF QUESTIONS.							

31462	ARF LLC					TOTAL	5,683.53

237384	03/12/2012	444 0060 019 04	AUTO MISSION LTD AUTO MISSION LTD	200 SW 1ST AVE 11 FORT LAUDERDALE FL 33301	25501 MISSION BLVD 33301	676.00 4630 003 46	
***** COMM PRES INSPECTION FEE CASE GR11-1538; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR ABATEMENT FEE @ \$49.00 FOR 25501 MISSION BLVD; APN 444-0060-019-04. CALL 510/583-4170 FOR INSPECTOR HADDAN IF QUESTIONS.							

33198							

REPORT ID: FMIS-AR851
 DEPARTMENT: COMMUNITY PRESERVATION

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 2 TIME: 08:46

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT STAT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			
*****				TOTAL	676.00	

230718	01/18/2012	431 0080 040 00	BAC HOME LOANS SERVICING LP 1800 TAPO CANYON RD SIMI VALLEY CA	371 REDBUD LN 93063	1,768.97	4630 003 46
COMM PRES INSPECTION FEE CASE CP11-3604; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR ABATEMENT COST @ 122.50 PLUS PER-CARCEL ABATEMENT CHARGE @ \$992.00 AT 371 REDBUD LN; APN 431-0080-040. CALL 510/583-4138 IF QUESTIONS, INSPECTOR PORTILLO.						
35926 BAC HOME LOANS SERVICING LP				TOTAL	1,768.97	

228458	10/06/2011	428 0031 064 00	IB PROPERTY HOLDINGS LLC 4425 PONCE DE LEON BLVD 5 CORAL GABLES FL	22300 MISSION BLVD 33146	671.32	4630 003 46
COMM PRES INSPECTION FEE CASE GR11-3082 FAILED COMMUNITY PRES REINSPECTION @ \$622.00 FOR 22300 MISSION BLVD; APN 428-0031-064 -00. IF QUESTIONS CALL INSPECTOR PORTILLO 510/583- 4138.						
39467 BAYVIEW LOAN SERVICING LLC				TOTAL	671.32	

226181	07/28/2011	078G 2759 015 00	BANK OF AMERICA 3232 NEWMARK DR MIAMISBURG OH	463 WESTCHESTER ST 45342	93.36	4630 003 46
COMM PRES INSPECTION FEE CASE CP11-1990; CONTRACTOR ABATEMENT FEE FOR WORK DONE AT 463 WESTCHESTER ST; APN 078G-2759-015-00. IF QUESTIONS CALL 510/583-4139 INSPECTOR SULLIVAN.						
33265 CAL-WESTERN RECONVEYANCE CORP				TOTAL	93.36	

230720	01/18/2012	431 0076 055 00	CARDENAS JOEL & SILVIA B 417 HOLLY LN HAYWARD CA	417 HOLLY LN 94541	50.00	4630 003 46
COMM PRES INSPECTION FEE CASE ZV11-3348; FIRST REQUEST FOR POSTPONEMENT AT 417 HOLLY LN; APN 431-0076-055. IF QUESTIONS, CALL INSPECTOR PORTILLO 510/583-4138.						
40043 CARDENAS, JOEL & SILVIA B				TOTAL	50.00	

DEPARTMENT: COMMUNITY PRESERVATION

INV #	DATE	- PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
237386	03/12/2012	444 0021 029 00	CHEN ZHONGMIN & XU LILI FAMILY CHEN ZHONGMIN & XU LILI FAMILY 7775 PINEVILLE CIR CASTRO VALLEY CA COMM PRES INSPECTION FEE CASE GR12-0197; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR ABATEMENT FEE @ \$24.50 AT 411 SYCAMORE AV. APN 444-0021-029-00. CALL 510/ 583-4138 INSPECTOR PORTILLO IF QUESTIONS.	411 SYCAMORE AVE 94552	651.50	4630 003 46

34072			CHEN ZHONGMIN & XU LILI FAMILY	TOTAL	651.50	

230451	01/05/2012	453 0085 014 00	CHUBBUCK CAROLYN J HEIRS OF ES CHUBBUCK, CAROLYN J HEIRS 702 BERYL PL HAYWARD CA COMM PRES INSPECTION FEE CP11-3438 -- CONTRACTOR ABATEMENT CHARGE - \$1,270.07; ABATEMENT COST - \$992.00 @702 BERYL PL - APN: 453-0085-014-00 IF QUESTION CALL INSP. BROWN 510-583-4173	702 BERYL PL 94544	2,299.79	4630 003 46

39764			CHUBBUCK, CAROLYN J HEIRS	TOTAL	2,299.79	

228929	10/28/2011	415 0250 112 00	CITY CENTER TOWER PARTNERS LP CITY CTR TOWER C/O MERRILL GRP 837 TRACTION AVE 400 LOS ANGELES CA COMM PRES INSPECTION FEE CASE CP11-3235; CONTRACTOR ABATEMENT CHARGES 22300 FOOTHILL BLVD; APN 415-0250-112-00. IF QUESTIONS CALL SR. INSPECTOR MARY BROWN 510/583-4173.	22300 FOOTHILL BLVD 90013	937.62	4630 003 46

229986	12/09/2011	415 0250 112 00	CITY CENTER TOWER PARTNERS LP CITY CTR TOWER C/O MERRILL GRP 837 TRACTION AVE 400 LOS ANGELES CA COMM PRES INSPECTION FEE CASE CP11-3623; CONTRACTOR CHARGE FOR WORK DONE AT 22300 FOOTHILL BL; APN 415-0250-112-00 @ \$367.50 PLUS PER-PARCEL ABATEMENT CHARGE @ \$992.00. CALL 510/583-4173 FOR MARY BROWN IF QUESTIONS.	22300 FOOTHILL BLVD 90013	1,393.25	4630 003 46

231104	02/23/2012	415 0250 112 00	CITY CENTER TOWER PARTNERS LP CITY CTR TOWER C/O MERRILL GRP 837 TRACTION AVE 400 LOS ANGELES CA COMM PRES INSPECTION FEE CASE CP12-0185; CONTRACTOR ABATEMENT CHARGE @ \$490 .00 AND PAR-PARCEL ABATEMENT FEE @ \$992.00; 22300 FOOTHILL BL; APN 415-0250-112-00. CALL INSPECTOR MARY BROWN IF QUESTIONS 510/583-4173.	22300 FOOTHILL BLVD 90013	1,487.00	4630 003 46

39528			CITY CTR TOWER C/O MERRILL GRP	TOTAL	3,817.87	

REPORT ID: FMIS-AR851
 DEPARTMENT: COMMUNITY PRESERVATION

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 4 TIME: 08:46

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
225579	07/01/2011	083 0461 006 00	CLARENDON HILLS OWNERS ASSOCIA CLARENDON HILLS OWNERS ASSOC 1000 SANSOME ST 180 SAN FRANCISCO CA	700 ALQUIRE PKWY 94111	2,104.77	4630 003 46
COMM PRES INSPECTION FEE CP 11-0113 - FAILED INSPECTION - FIRST \$622.00; CONTRACTOR ABATEMENT CHARGE \$330.75; ABATEMENT CHARGE \$992.00 @ 700 ALQUIRE PKWY - APN: 083-0461-006-00 IF QUESTIONS CALL INSP. SULLIVAN (510)583-4139						

24543			CLARENDON HILLS OWNERS ASSOC	TOTAL	2,104.77	

225770	07/08/2011	078G 2714 006 00	CROSBY JAMES CROSBY, JAMES 30553 FLOSSMOOR WAY HAYWARD CA	30553 FLOSSMOOR WAY 94544	2,065.77	4630 003 46
COMM PRES INSPECTION FEE CP 11-1309 - FAILED INSPECTION - FIRST \$622.00; CONTRACTOR ABATEMENT CHARGE \$294.00; ABATEMENT COST \$992.00 @ 30553 FLOSSMOOR WY - APN: 078G-2714-006-00 IF QUESTIONS CALL INSP. SULLIVAN 510-583-4139						

37536			CROSBY, JAMES	TOTAL	2,065.77	

225339	06/16/2011	465 0015 009 02	DALLAS CYNTHIA J DALLAS, CYNTHIA 763 FOLSOM AVE HAYWARD CA	763 FOLSOM AVE 94544	702.55	4630 003 46
COMM PRES INSPECTION FEE CP 11-1976 - FAILED INSPECTION - FIRST \$622 @ 763 FOLSOM AVE - APN: 465-0015-009-02 IF QUESTIONS CALL INSP. SULLIVAN (510)583-4139						

34612			DALLAS, CYNTHIA	TOTAL	702.55	

229632	12/01/2011	452 0036 018 00	DIAZ DORSI L DIAZ, DORSI L 26646 COLETTE ST HAYWARD CA	26646 COLETTE ST 94544	207.00	4630 003 46
COMM PRES INSPECTION FEE CASE CP11-3382; SUBSEQUENT VIOLATION WITHIN TWELVE MONTHS AT 26646 COLETTE ST; APN 452-0036-018-00. CALL INSPECTOR HADDAN 510/583-4170 IF QUESTIONS.						

31175			DIAZ, DORSI L	TOTAL	207.00	

228923	10/27/2011	441 0014 051 00	ZHONG JIMMY J ESTATE OF JIMMY ZHONG 1343 SANGAMORE ST HAYWARD CA	1343 SANGAMORE ST 94545	2,614.11	4630 003 46
COMM PRES INSPECTION FEE CASE CP11-2810; FAILED COMMUNITY PRES REINSPECTION						

REPORT ID: FMIS-AR851
 DEPARTMENT: COMMUNITY PRESERVATION

C I T Y O F H A Y W A R D
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 5 TIME: 08:46

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT

			@ 622.00 PLUS CONTRACTOR ABATEMENT FEE @ 924.00 PLUS PER-PARCEL ABATEMENT FEE @ \$992.00 FOR 1343 SANGAMORE ST; APN 441-0014-051-00. CALL INSPECTOR GOMEZ 510/583-4172 IF QUESTIONS.			
39525			ESTATE OF JIMMY ZHONG	TOTAL	2,614.11	
225786	07/08/2011	416 0160 013 00	ITTLESON LENIN ANNE BUILDING L 2 N LASALLE ST 800 CHICAGO IL	2131 KELLY ST 60602	1,870.81	4630 003 46
			COMM PRES INSPECTION FEE CP 11-2360 - FAILED INSPECTION - FIRST \$622.00; ABATEMENT COST \$992.00; CONTRACTOR ABATEMENT CHARGE \$110.25 @ 2131 KELLY ST - APN: 416-0160-013-00 IF QUESTIONS CALL INSP. PORTILLO 510-583-4138			
39027			ETEAKI, LAUKAU P	TOTAL	1,870.81	
229996	12/09/2011	444 0069 054 02	GRIEVE CHARLES H 100 LANDING CT B NOVATO CA	94 LUND AVE 94945	648.37	4630 003 46
			COMM PRES INSPECTION FEE CASE CP11-3259; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 FOR 94 LUND AV; APN 444-0069-054-02. IF QUESTIONS CALL INSPECTOR KEMP 510/583-4171.			
16153			GRIEVE, CHARLES	TOTAL	648.37	
229390	11/10/2011	427 0046 004 00	HERNANDEZ AURORA & JAIME 1486 B ST HAYWARD CA	1439 D ST 94541	704.03	4630 003 46
			COMM PRES INSPECTION FEE CASE GR11-3105; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR ABATEMENT CHARGE @ \$36. 75 FOR 1439 D STREET; APN 427-0046-004. CALL 510/ 583-4138 FOR INSPECTOR PORTILLO IF QUESTIONS.			
33901			HERNANDEZ, AURORA & JAIME	TOTAL	704.03	
237516	03/22/2012	441 0080 016 00	JUNG MICHAEL W 2671 BRYANT ST PALO ALTO CA	1516 DENTON AVE 94306	2,569.50	4630 003 46
			COMM PRES INSPECTION FEE CASE CP11-3724; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR ABATEMENT FEE @ \$955.50 PLUS PER-PARCEL ABATEMENT CHARGE @ \$992.00; 1516 DENTON AV; APN 441-0080-016. CALL INSPECTOR GOMEZ			

REPORT ID: FMIS-AR851
 DEPARTMENT: COMMUNITY PRESERVATION

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 6 TIME: 08:46

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
*****510/583-4172 IF QUESTIONS.*****						
24238				TOTAL	2,569.50	
JUNG, MICHAEL W						
228171	09/22/2011	428 0061 017 02	KHANNA DEVAYANI & RAKESH 1520 N OREGON AVE PASCO WA	1036 A ST 99301	728.75	4630 003 46
KHANNA DEVAYANI & RAKESH			COMM PRES INSPECTION FEE CASE GR11-2956; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR CHARGE @ \$49.00 AT 1036 A STREET; APN 428-0061-017-02. CALL 510/583-4138 INSPECTOR PORTILLO IF QUESTIONS.			
229999	12/09/2011	428 0061 017 02	KHANNA DEVAYANI & RAKESH 1520 N OREGON AVE PASCO WA	1036 A ST 99301	1,853.96	4630 003 46
KHANNA DEVAYANI & RAKESH			COMM PRES INSPECTION FEE CASE GR11-3337; FAILED COMMUNITY PRES REINSEPCION @ \$.00 PLUS CONTRACTOR ABATEMENT COST @ \$183.75 PLUS ABATEMENT CHARGE PER PARCEL @ \$992.00 AT 1036 A ST; APN 428-0061-017-02. QUESTIONS CALL 510/583 -4138 FOR INSPECTOR PORTILLO.			
39302				TOTAL	2,582.71	
KHANNA DEVAYANI & RAKESH						
228172	09/22/2011	444 0066 021 00	KLEINHEINZ WILLIAM JR & JOLENE 985 PARROTT DR HILLSBOROUGH CA	25473 DONALD AVE 94010	1,929.25	4630 003 46
KLEINHEINZ, WILLIAM & JOLENE			COMM PRES INSPECTION FEE CASE CP11-2967; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR CHARGE @ \$833.00 AT APN 444-0066-021-00 FOR 25473 DONALD AV. CALL 510/583 -4138 INSPECTOR PORTILLO IF QUESTIONS.			
25825				TOTAL	1,929.25	
KLEINHEINZ, WILLIAM & JOLENE						
227726	08/31/2011	443 0070 035 10	KOSLOSKY JOHN J & MORGAN CHRIS 2775 HANSEN RD HAYWARD CA	W JACKSON ST 94541	689.48	4630 003 46
KOSLOSKY, JOHN & MORGAN			COMM PRES INSPECTION FEE CP11-2645 -- FAILED INSPECTION - FIRST \$622.00 @ W JACKSON ST; APN: 443-0070-035-10 IF QUESTIONS CALL INSP. HADDAN (510)583-4170			
10628				TOTAL	689.48	
KOSLOSKY, JOHN & MORGAN						

DEPARTMENT: COMMUNITY PRESERVATION

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT	
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT	
228931	10/28/2011	452 0036 021 00	KUMAR DEO 26664 COLETTE ST HAYWARD CA	26664 COLETTE ST 94544	1,520.13	4630 003 46	
***** COMM PRES INSPECTION FEE CASE CP11-3262; SUBSEQUENT VIOLATION WITHIN TWELVE MONTHS @ \$1451.00 FOR 26664 COLETTE ST; APN 452- 0036-021-00. IF QUESTIONS CALL INSPECTOR HADDAN AT 510/583-4170. *****							
34559 KUMAR, DEO					TOTAL	1,520.13	
230626	01/12/2012	431 0004 094 00	KUMAR VINOD & KAUR PARAMJIT 36640 MAGNOLIA ST NEWARK CA	604 B ST 94560	646.50	4630 003 46	
***** COMM PRES INSPECTION FEE CP 11-3572 - FAILED INSPECTION - FIRST \$622.00 CONTRACTOR ABATEMENT CHARGE \$24.50 @604 B ST ; APN: 431-0004-094-00 IF QUESTIONS CALL INSP. PORTILLO (583-4138) *****							
40036 KUMAR, VINOD & KAUR PARAMJIT					TOTAL	646.50	
225296	06/09/2011	445 0160 017 00	LAM MELISSA N 1090 HIGHLAND BLVD HAYWARD CA	1090 HIGHLAND BLVD 94542	1,472.67	4630 003 46	
***** COMM PRES INSPECTION FEE CASE CP 11-1361 -- FAILED INSPECTION - FIRST \$622 FAILED INSPECTION - SECOND \$722.00 @1090 HIGHLAND BLVD. - APN: 445-0160-017-00 IF QUESTIONS CALL INSP. HADDAN (510)583-4170 *****							
34478 LAM, MELISSA N					TOTAL	1,472.67	
229399	11/10/2011	453 0095 009 00	LEDESMA MIGUEL A 27723 LEIDIG CT HAYWARD CA	27723 LEIDIG CT 94544	4,091.26	4630 003 46	
***** COMM PRES INSPECTION FEE CASE CP11-2418; FAILED COMMUNITY PRES REINPSECTION @ \$622.00; SUBSEQUENT VIOLATION @ \$1451.00; CONTR ACTOR ABATEMENT CHARGE @ \$882.00; ABATEMENT CHARGE PER-PARCEL @ \$992.00 AT 27723 LEIDIG CT; APN 453- 0095-009. QUESTIONS? INSPECTOR KEMP 510/583-4171. *****							
38685 LEDESMA MIGUEL A					TOTAL	4,091.26	

REPORT ID: FMIS-AR851
 DEPARTMENT: COMMUNITY PRESERVATION

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 8 TIME: 08:46

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
225830	07/08/2011	444 0060 010 00	LIRANZO IRENE TR 29333 HARPOON WAY HAYWARD CA	773 BERRY AVE 94544	719.83	4630 003 46
COMM PRES INSPECTION FEE CP 10-3929 - FAILED INSPECTION - FIRST \$622.00; CONTRACTOR ABATEMENT CHARGE - \$85.75 @ 773 BERRY AVE - APN: 444-0060-010-00 IF QUESTIONS CALL INSP. HADDAN 510-583-4170						

36442	LIRANZO, IRENE TRUST				TOTAL	719.83

230124	12/16/2011	455 0052 098 00	LOMELI ISAIAS J & MARTIN J 27604 GAINESVILLE AVE HAYWARD CA	27604 GAINESVILLE AVE 94545	2,098.73	4630 003 46
COMM PRES INSPECTION FEE CASE CP11-3130; SUBSEQUENT VIOLATION WITHIN TWELVE MONTHS @ \$1451.00 PLUS ADDITIONAL FAILED REINSPEC TION @ \$622.00 AT 27604 GAINESVILLE AV; APN 455-00 52-098-00. QUESTIONS? CALL INSPECTOR KEMP 510/583- 4171.						

36637	LOMELI, ISAIAS J & MARTIN J				TOTAL	2,098.73

228177	09/22/2011	428 0061 011 00	MAPLE COURT HOMES LLC 1836 NORIEGA ST SAN FRANCISCO CA	22477 MAPLE CT 94122	728.75	4630 003 46
COMM PRES INSPECTION FEE CASE GR11-2898; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR ABATEMENT CHARGE @ \$49. 00 @ 22477 MAPLE CT; APN 428-0061-011-00. CALL 510 /583-4138 FOR INSPECTOR PORTILLO IF QUESTIONS.						

39301	MAPLE COURT HOMES LLC				TOTAL	728.75

230628	01/12/2012	453 0090 075 02	MARCOTTE CHARLES J LLC 23441 FOLEY ST HAYWARD CA	641 W TENNYSON RD 94545	643.32	4630 003 46
COMM PRES INSPECTION FEE CP 11-3711 - FAILED INSPECTION - FIRST \$622.00 @677 W TENNYSON RD; APN: 453-0090-075-02 IF QUESTIONS CALL INSP. KEMP (583-4171)						

23732	MARCOTTE, CHARLES LLC				TOTAL	643.32

202805	12/17/2009	432 0068 047 00	ESTRADA RUBEN 1 AVENUE OF THE PALMS 4 SAN FRANCISCO CA	836 ALONDA CT 94130	3,129.67	4630 003 46
COMM PRES INSPECTION FEE CASE ZV09-1965; SUBSEQUENT VIOLATION WITHIN TWELVE						

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
MONTHS 09/29/09 @ \$1435.00; FAILED SUBSEQUENT 10/ 16/09 @ \$1493.00; & FAILED SUBSEQUENT 11/05/09 @ \$1493.00 AT 836 ALONDA CT; APN 432-0068-047-00. IF QUESTIONS CALL INSPECTOR HADDAN 510/583-4170.						
33800			MARROQUIN, PATRICIA	TOTAL	3,129.67	
229709	12/01/2011	444 0060 009 00	MIRKOOSHESH HAMID & JACKIE 271 SPINNAKER ST FOSTER CITY CA	747 BERRY AVE 94404	2,018.18	4630 003 46
COMM PRES INSPECTION FEE CASE CP11-3216; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR ABATEMENT FEE @ 344.75 PLUS ABATEMENT CHARGE PER-PARCEL @ \$992.00 AT 747 BERRY AV; APN 444-0060-009. CALL 510/583-4138 FOR INSPECTOR PORTILLO IF QUESTIONS.						
24248			MIRKOOSHESH, HAMID & JACKIE	TOTAL	2,018.18	
225301	06/09/2011	431 0036 013 00	MOHAMMADIA ISLAMIC CULTURAL CE 492 C ST HAYWARD CA	492 C ST 94541	1,885.81	4630 003 46
COMM PRES INSPECTION FEE CASE CP 11-1365 -- FAILED INSPECTION - FIRST \$622 ABATEMENT COST -- \$992.00; CONTRACTOR ABATEMENT CHARGE - \$159.25 @ 490 C ST - APN: 431-0036-013-00 IF QUESTIONS CALL INSP. PORTILLO (510)583-4138						
32625			MOHAMMADIA CENTER	TOTAL	1,885.81	
225589	07/01/2011	441 0031 059 00	NEALE RACHEL M 2659 CRYER ST HAYWARD CA	2659 CRYER ST 94545	1,805.83	4630 003 46
COMM PRES INSPECTION FEE CP11-0032 - FAILED INSPECTION - FIRST \$622.00 CONTRACTOR ABATEMENT CHARGE \$49.00 ABATEMENT COST \$992.00 @2659 CRYER ST - APN: 441-0031-059-00 IF QUESTIONS CALL INSP. KEMP (510)583-4171						
38969			NEALE, RACHEL M	TOTAL	1,805.83	
226132	07/21/2011	444 0060 009 00	MIRKOOSHESH HAMID & JACKIE 271 SPINNAKER ST FOSTER CITY CA	747 BERRY AVE 94404	1,168.56	4630 003 46
COMM PRES INSPECTION FEE CASE CP11-2359; FAILED COMMUNITY PRES CASE CONTRAC						

REPORT ID: FMIS-AR851
 DEPARTMENT: COMMUNITY PRESERVATION

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 10 TIME: 08:46

INV #	DATE	- PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT

			TOR BATEMENT CHARGE @ \$81.00 PLUS PER-PARCEL ABATE MENT FEE @ \$992.00 FOR 747 BERRY AV; APN 444-0060- 009. CALL INSPECTOR HADDAN IF QUESTIONS AT 510/583 -4170.			
33478			PFC A HOME EQUITY INVESTMENT TR	TOTAL	1,168.56	
226135	07/21/2011	078G 2928 003 03	POOLE DAVID C & LOREE J 31576 MACDONALD WAY HAYWARD CA COMM PRES INSPECTION FEE CASE CP11-1917; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR ABATEMENT CHARGE @ \$330 .75 PLUS PER-PARCEL ABATEMENT FEE @ \$992.00 31576 MACDONALD WY; APN 078G-2928-003-03. CALL 510/583- 4171 INSPECTOR KEMP IF QUESTIONS.	31576 MACDONALD WAY 94544	2,044.20	4630 003 46
9769			POOLE, DAVID	TOTAL	2,044.20	
229417	11/10/2011	428 0066 028 00	STAMATAKIS NICHOLAS D & CATHER PO BOX 741 HAYWARD CA COMM PRES INSPECTION FEE CASE CP11-3122; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR ABATEMENT CHARGE @ \$49. 00 FOR 1035 B STREET; APN 428-0066-028. CALL 510 583-4138 FOR INSPECTOR PORTILLO IF QUESTIONS.	1037 B ST 94543	682.71	4630 003 46
39596			STAMATAKIS NICHOLAS D & CATHER	TOTAL	682.71	
225315	06/09/2011	455 0020 072 00	STERLING BILLY & LINDA F 26754 CONTESSA ST HAYWARD CA COMM PRES INSPECTION FEE CASE CP 11-1780 - SUBSEQUENT VIOLATION \$1451.00 @ 26754 CONTESSA ST. - APN: 455-0020-072-00 IF QUESTIONS CALL INSP. GOMEZ (510)583-4172	26754 CONTESSA ST 94545	1,432.52	4630 003 46
38864			STERLING, BILLY & LINDA F	TOTAL	1,432.52	
227734	08/31/2011	427 0051 001 02	FEDERAL NATIONAL MORTGAGE ASSO 801 JOHN BARROW RD 1 LITTLE ROCK AR COMM PRES INSPECTION FEE CP11-2584 - FAILED INSPECTION - FIRST \$622.00; ABATEMENT COST - \$992.00 CONTRACTOR ABATEMENT CHARGE - \$257.25 @22808 FIFTH ST - APN: 427-0051-001-02	22808 5TH ST 72205	1,996.69	4630 003 46

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
***** IF QUESTIONS CALL INSP. PORTILLO 510-583-4138 *****						
18277			STURTEVANT, VERN & DIANE M.	TOTAL	1,996.69	
230974	02/09/2012	432 0044 026 02	SULLIVAN FREDRICK T & MAVIS R 25272 MOHR DR HAYWARD CA	22449 S GARDEN AVE 94545	632.00	4630 003 46
			COMM PRES INSPECTION FEE CASE GR12-0035; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 AT 22447 SO GARDEN AV; APN 432-0044-026 -02. IF QUESTIONS, CONTACT INSPECTOR HADDAN AT 510 /583-4170.			
5387			SULLIVAN, FREDERICK & MARIS	TOTAL	632.00	
237582	03/22/2012	455 0080 084 00	TAM DEANNA Y 1439 15TH AVE SAN FRANCISCO CA	27878 MELBOURNE AVE 94122	2,104.00	4630 003 46
			COMM PRES INSPECTION FEE CASE 12-0230; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR ABATEMENT FEE @ \$490.00 PLUS PER-PARCEL ABATEMENT COST @ \$992.00 FOR 27878 MELBOURNE AV; APN 455-0080-084. CALL 510/583-4173 FOR INSPECTOR BROWN IF QUESTIONS.			
40504			TO, K WAH	TOTAL	2,104.00	
229998	12/09/2011	444 0048 121 00	CHEN WEI ETAL 24979 PLEASANT WAY HAYWARD CA	24979 PLEASANT WAY 94544	1,394.44	4630 003 46
			COMM PRES INSPECTION FEE CASE CP11-3535; CONTRACTOR ABATEMENT CHOST \$355.25 PLUS PER-PARCEL ABATEMENT FEE @ \$992.00 AT 24979 PLEASANT WAY; APN 444-0048-121-00. QUESTIONS? 510 /583-4138 FOR INSPECTOR PORTILLO.			
39669			TRAN TUNG/CHEN WEI	TOTAL	1,394.44	
227546	08/11/2011	453 0035 005 00	VALDIVIA LUZ A & TORIBIO 15185 S MONTEREY RD MORGAN HILL CA	26963 TYRRELL AVE 95037	701.31	4630 003 46
			COMM PRES INSPECTION FEE CASE CP11-2357; FAILED COMMUNITY PRES REINSPECTION @ 26963 TYRRELL AV; APN 453-0035-005-00 @ \$622.00 IF QUESTIONS CALL INSPECTOR FLORES 510/583-4158.			
27760			VALDIVIA, LUZ A & TORIBIO	TOTAL	701.31	

REPORT ID: FMIS-AR851
 DEPARTMENT: COMMUNITY PRESERVATION

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 12 TIME: 08:46

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
225440	06/23/2011	431 0004 075 03	VLAHOPOULIOTIS H & KATERINA & VLAHOPOULIOTIS, H & KATERINA & 21166 MARIA LN SARATOGA CA COMM PRES INSPECTION FEE CP 11-1853 - FAILED INSPECTION - FIRST \$622.00 @591 A ST - APN: 431-0004-075-03 IF QUESTIONS CALL INSP. PORTILLO (510)583-4138	591 A ST 95070	706.62	4630 003 46
31749			VLAHOPOULIOTIS, H & KATERINA &	TOTAL	706.62	
209982	04/22/2010	078G 2728 003 00	WHITE ROBERTA M WHITE, ROBERTA M 31031 HERSHEY WAY HAYWARD CA COMM PRES INSPECTION FEE CASE CP09-1696; FAILED COMMUNITY PRES REINSPECTION ON 03/22/10 @ \$609 PLUS CONTRACTOR ABATEMENT COST @ \$98 PLUS PER-PARCEL ABATEMENT FEE @ \$967; 31031 HERSHEY WY APN 078G-2728-003. QUESTIONS, CALL 510 /583-4171 INSPECTOR KEMP.	31031 HERSHEY WAY 94544	1,138.47	4630 003 46
34929			WHITE, ROBERTA M	TOTAL	1,138.47	
225320	06/09/2011	443 0070 045 00	WILKERSON ROOSEVELT SR WILKERSON, ROOSEVELT SR PO BOX 43311 OAKLAND CA COMM PRES INSPECTION FEE CASE CP 11-1807 -- FAILED INSPECTION - FIRST \$622 CONTRACTOR ABATEMENT CHARGE - \$24.50 @25021 CYPRESS AVE - APN: 443-0070-045-00 IF QUESTIONS CALL INSP. HADDAN (510)583-4170	25021 CYPRESS AVE 94624	739.54	4630 003 46
230976	02/09/2012	443 0070 044 00	WILKERSON ROOSEVELT SR WILKERSON, ROOSEVELT SR PO BOX 43311 OAKLAND CA COMM PRES INSPECTION FEE CASE GR11-3149; FAILED COMMUNITY PRES REINSPECTION AT \$622.00 PLUS CONTRACTOR CHARGE AT \$24.50 AT 25013 CYPRESS AV; APN 443-0070-044. IF QUESTIONS CALL INSPECTOR GOMEZ 510/583-4172.	25013 CYPRESS AVE 94624	656.50	4630 003 46
15748			WILKERSON, ROOSEVELT SR	TOTAL	1,396.04	
228922	10/27/2011	425 0360 001 00	WILLIAMS HARRIET W WILLIAMS, HARRIET W 2478 OAKES DR HAYWARD CA COMM PRES INSPECTION FEE CP11-1743; FAILED COMMUNITY PRES REINSPECTION FEE @ \$622.00 PLUS CONTRACTOR ABATEMENT CHARGE @ \$196. 00 PLUS PER-PARCEL ABATEMENT FEE @ \$992.00 AT 2478	2478 OAKES DR 94542	1,889.93	4630 003 46

REPORT ID: FMIS-AR851
 DEPARTMENT: COMMUNITY PRESERVATION

C I T Y O F H A Y W A R D
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/11/2012
 PAGE NO. 13 TIME: 08:46

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT

OAKES DR; APN 425-0360-001-00. IF QUESTIONS CALL						
INSPECTOR HADDAN 510/583-4170.						

11495			WILLIAMS, HARRIET W	TOTAL	1,889.93	

225358	06/16/2011	078G 2710 004 00	YOUSAF AYYAZ & AYYAZ ZILLE H	30451 MIDLOTHIAN WAY	713.26	4630 003
			YOUSAF AYYAZ & AYYAZ ZILLE H	30451 MIDLOTHIAN WAY HAYWARD CA		46
			COMM PRES INSPECTION FEE	94544		
			CP 11-1963 - FAILED INSPECTION - FIRST \$622			
			@ 30451 MIDLOTHIAN WY - APN: 078G-2710-004-00			
			IF QUESTIONS CALL INSP. SULLIVAN (510)583-4139			

34601			YOUSAF AYYAZ & AYYAZ ZILLE H	TOTAL	713.26	

					TOTAL	75,143.62
					=====	

***** END OF REPORT *****

REPORT ID: FMIS-AR851

CITY OF HAYWARD
ACCOUNTS RECEIVABLE SYSTEM
INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/08/2012
PAGE NO. 1 TIME: 13:56

DEPARTMENT: WEED ABATEMENT

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
225573	07/01/2011	456 0048 004 02	ARF LLC ARF AVENUE ASSOCIATES LLC	25711 DOLLAR ST 2 HAYWARD CA 94544 WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION WA 11-0721 - FAILED INSPECTION - FIRST \$622.00; CONTRACTOR ABATEMENT CHARGE \$392.00; ABATEMENT COST \$992.00 @ ARF AVE - APN: 456-0048-004-02 IF QUESTIONS CALL INSP. GOMEZ (510)583-4172	ARF AVE 2,169.75	4630 001 46

38968			ARF AVENUE ASSOCIATES LLC	TOTAL	2,169.75	
225577	07/01/2011	431 0012 082 00	BAUTISTA ESTELITA A TR BAUTISTA, ESTRELITA	21422 MISSION BLVD HAYWARD CA 94541 WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION WA 11-1887 - FAILED INSPECTION - FIRST \$622.00; CONTRACTOR ABATEMENT CHARGE \$551.25; ABATEMENT COST: 992.00 @22575 FILBERT ST - APN: 431-0012-082-00 IF QUESTIONS CALL INSP. PORTILLO (510)583-4138	22575 FILBERT ST 2,338.71	4630 001 46

19560			BAUTISTA, ESTRELITA	TOTAL	2,338.71	
228469	10/06/2011	078G 2738 031 00	BROWN EDWARD E & KLEIN CHRISTI BROWN, EDWARD E & KLEIN C	8420 W ADAMS PASCO WA 99301 WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WALL-2402; FAILED WEED REINSPECTION @ \$622.00 PLUS CONTRACTOR CHARGE @ \$588.00 PLUS PER-PARCEL ABATEMENT FEE @ \$992.00 FOR 31625 MEDINAH ST; APN 078G-2738-031-00. QUESTIONS? CALL INSPECTOR FLORES 510/583-4158.	31625 MEDINAH ST 2,298.88	4630 001 46

11127			BROWN, EDWARD E & KLEIN C	TOTAL	2,298.88	
225778	07/08/2011	452 0012 075 00	DOLNEY ADOLPH & MARIE TRS DOLNEY, ADOLPH & MARIE TRUST	284 NEWTON ST HAYWARD CA 94544 WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION WA 11-2067 - SUBSEQUENT VIOLATION \$1,451.00; ABATEMENT COST \$992.00; CONTRACTOR ABATEMENT CHARGE \$220.00 @ 284 NEWTON ST - APN: 452-0012-075-00 IF QUESTIONS CALL INSP. HADDAN 510-583-4170	284 NEWTON ST 2,839.02	4630 001 46

DEPARTMENT: WEED ABATEMENT

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
228909	10/27/2011	452 0012 075 00	DOLNEY ADOLPH & MARIE TRS 284 NEWTON ST HAYWARD CA	284 NEWTON ST 94544	2,743.89	4630 001 46

DOLNEY, ADOLPH & MARIE TRUST						
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WALL-2854; SUBSEQUENT VIOLATION WITHIN TWELVE MONTHS @ \$1451.00 PLUS CONTRACTOR ABATEMENT FEE @ \$196.00 PLUS PER-PARCEL ABATEMENT FEE @ \$992.00 AT 284 NEWTON ST; APN 452-0012-075. IF QUESTIONS, CALL INSPECTOR HADDAN 510/583-4170.						

36564	DOLNEY, ADOLPH & MARIE TRUST				TOTAL	5,582.91

225282	06/09/2011	428 0051 037 02	EAST BAY CAPITAL HOLDINGS LLC 1699 VALENCIA ST SAN FRANCISCO CA	838 A ST 94110	2,051.86	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE CP 11-1880 - FAILED INSPECTION - FIRST \$622 ABATEMENT COST -- \$992.00; CONTRACTOR ABATEMENT CHARGE - \$257.25 @838 A ST - APN: 428-0051-037-02 IF QUESTIONS CALL INSP. PORTILLO (510)583-4138						

225283	06/09/2011	428 0051 043 02	EAST BAY CAPITAL HOLDINGS LLC 1699 VALENCIA ST SAN FRANCISCO CA	808 A ST 94110	897.05	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE CP 11-1881 - FAILED INSPECTION - FIRST \$622 CONTRACTOR ABATEMENT CHARGE - \$171.50 @ 808 A ST - APN: 428-0051-043-02 IF QUESTIONS CALL INSP. PORTILLO (510)583-4138						

225284	06/09/2011	428 0051 044 02	EAST BAY CAPITAL HOLDINGS LLC 1699 VALENCIA ST SAN FRANCISCO CA	802 A ST 94110	897.05	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE CP 11-1882 - FAILED INSPECTION - FIRST \$622 CONTRACTOR ABATEMENT CHARGE - \$171.50 @ 804 A ST - APN: 428-0051-044-02 IF QUESTIONS CALL INSP. PORTILLO (510)583-4138						

225285	06/09/2011	428 0051 045 02	EAST BAY CAPITAL HOLDINGS LLC 1699 VALENCIA ST SAN FRANCISCO CA	782 A ST 94110	897.05	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE CP 11-1050 -- FAILED INSPECTION - FIRST \$622 CONTRACTOR ABATEMENT CHARGE - \$171.50 @ 782 A ST. - APN: 428-0051-045-02 IF QUESTIONS CALL INSP. PORTILLO (510)583-4138						

DEPARTMENT: WEED ABATEMENT

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
228147	09/22/2011	428 0051 045 02	EAST BAY CAPITAL HOLDINGS LLC EAST BAY CAPITAL HOLDINGS LLC	782 A ST 1699 VALENCIA ST SAN FRANCISCO CA 94110	2,321.45	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WALL-2796; FAILED COMMUNITY PRES REINSPECTION @ \$622.00 PLUS CONTRACTOR CHARGE @ \$588.00 PLUS PER-PARCEL ABATEMENT CHARGE @ \$992.00 FOR 782 A ST APN 428-0051-045-02. CALL INSPECTOR PORTILLO 510/583-4138 IF QUESTIONS.						
237387	03/12/2012	428 0051 045 02	EAST BAY CAPITAL HOLDINGS LLC EAST BAY CAPITAL HOLDINGS LLC	782 A ST 1699 VALENCIA ST SAN FRANCISCO CA 94110	2,550.00	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WALL-0018; FAILED WEED REINSPECTION @ \$622.00 PLUS CONTRACTOR ABATEMENT CHARGE @ \$931.00 PLUS PER-PARCEL ABATEMENT FEE @ \$992.00 AT 782 A STREET APN 428-0051-045-02. CALL INSPECTOR PORTILLO 510/583-4138 IF QUESTIONS.						
35637	EAST BAY CAPITAL HOLDINGS LLC			TOTAL	9,614.46	
227493	08/11/2011	083 0462 024 00	ESTRADA SANDRA C ETAL ESTRADA, SANDRA C	1159 SILVER MAPLE LN P O BOX 6265 HAYWARD CA 94540	689.48	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WALL-2105; FAILED WEED REINSPECTION AT 1159 SILVER MAPLE LN; APN 083-0462-024-00. CALL 510/583-4158 INSPECTOR FLORES IF QUESTIONS.						
34325	ESTRADA, SANDRA C			TOTAL	689.48	
198474	07/02/2009	428 0031 051 00	GONZALEZ EUGENIO S GONZALEZ, EUGENIO S	925 SIMON ST 925 SIMON ST HAYWARD CA 94541	954.72	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WA09-0392 AT 925 SIMON ST.; APN: 428-0031-051 FAILED 1ST COMMUNITY PRES REINSPECTION DONE ON 5-27-09 (\$609) & FAILED 2ND C.P. REINSPECTION DONE ON 6-12-09 (\$709). IF QUESTIONS CALL INSPECTOR SULLIVAN AT 510-583-4143.						
21645	GONZALEZ, EUGENIO S			TOTAL	954.72	

DEPARTMENT: WEED ABATEMENT

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
226113	07/21/2011	427 0041 019 00	J & J PROPERTY INVESTMENTS LLC P O BOX 627 HAYWARD CA	22767 6TH ST 94541	5,021.13	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WALL-1297; FAILED WEED REINSPECTION @ \$622.00 PLUS CONTRACTOR ABATEMENT CHARGE @ \$3136.00 PLUS PER-PARCEL ABATEMENT FEE @ 992.00 FOR 22767 6TH ST APN 427-0041-019. CALL INSPECTOR PORTILLO 510/583 -4138 IF QUESTIONS.						

38962			HACKING, KENNETH	TOTAL	5,021.13	
227723	08/31/2011	417 0060 064 00	HADDEN EVAN & TRENNA 2500 KELLY ST HAYWARD CA	2500 KELLY ST 94541	1,996.03	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION WALL-2672 -- FAILED INSPECTION - FIRST \$622.00; ABATEMENT COST -- \$992.00 CONTRACTOR ABATEMENT CHARGE -- \$294.00 @2500 KELLY ST; APN: 417-0060-064-00 IF QUESTIONS CALL INSP. PORTILLO (510)583-4138						

38715			HADDEN, EVAN & TRENNA	TOTAL	1,996.03	
226037	07/14/2011	081D 1585 022 00	HOFMEISTER JAMES C & MARY J 14100 DOOLITTLE DR SAN LEANDRO CA	26880 DOBBEL AVE 94577	2,221.75	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WALL-2167; FAILED WEED INSPECTION AT \$622.00 PLUS CONTRACTOR ABATEMENT CHARGE @ \$441.00 PLUS PER-PARCEL ABATEMENT FEE @ \$992.00 AT 26880 DOBBEL AV; APN 081D-1585-022. CALL INSPECTOR FLORES 510/ 583-4158 IF QUESTIONS.						

37537			HOFMEISTER, JAMES C & MARY J	TOTAL	2,221.75	
225295	06/09/2011	443 0070 035 10	KOSLOSKY JOHN J & MORGAN CHRIS 2775 HANSEN RD HAYWARD CA	W JACKSON ST 94541	2,694.95	4630 001 46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE CP 11-0736 - FAILED INSPECTION - FIRST \$622 ABATEMENT COST -- \$992.00; CONTRACTOR ABATEMENT CHARGE - \$882.00 @ W JACKSON ST. - APN: 443-0070-035-10 IF QUESTIONS CALL INSP. HADDAN (510)583-4170						

DEPARTMENT: WEED ABATEMENT

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
10628			KOSLOSKY, JOHN & MORGAN	TOTAL	2,694.95	
221866	01/20/2011	452 0036 021 00	KUMAR DEO 26664 COLETTE ST HAYWARD CA	26664 COLETTE ST 94544	3,001.67	4630 001 46
			WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WA10-4084; SUBSEQUENT VIOLATION WITHIN TWELVE MONTHS \$1451.00 PLUS FAILED SUBSEQUENT VIOLATION @ \$1506.00 FOR 26664 COLETTE ST; APN 452-0036-021 IF QUESTIONS CALL INSPECTOR HADDAN 510/583-4170.			
34559			KUMAR, DEO	TOTAL	3,001.67	
227520	08/11/2011	431 0004 018 00	MACK WILBERT 582 SMALLLEY AVE HAYWARD CA	582 SMALLLEY AVE 94541	682.97	4630 001 46
			WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WA11-2710; FAILED WEED REINSPECTION @ \$622.00 AT 582 SMALLLEY AV; APN 431-0004-018-00. CALL 510/583-4138 INSPECTOR PORTILLO IF QUESTIONS.			
39163			MACK WILBERT	TOTAL	682.97	
229229	11/03/2011	445 0100 095 00	NGUYEN CU 22168 PERALTA ST HAYWARD CA	1932 HIGHLAND BLVD 94541	2,602.89	4630 001 46
			WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WA11-2029; FIRST FAILED INSPECTION @ \$622.00 PLUS SECOND FAILED INSPECTION @ \$722.00 PLUS PER-PARCEL ABATEMENT FEE @ \$992.00 PLUS CONTRACTOR FEE @ \$196.00 AT 1932 HIGHLAND BL; APN 445-0100-095. CALL INSPECTOR HADDAN IF QUESTIONS 510/583-4170.			
39570			NGUYEN CU or DO DUNG N	TOTAL	2,602.89	
225304	06/09/2011	444 0060 009 00	MIRKOOSHESH HAMID & JACKIE 271 SPINNAKER ST FOSTER CITY CA	747 BERRY AVE 94404	2,110.07	4630 001 46
			WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE CP 11-1200 -- FAILED INSPECTION - FIRST \$622 ABATEMENT COST -- \$992.00; CONTRACTOR ABATEMENT CHARGE - \$330.75 @ 747 BERRY AVE. - APN: 444-0060-009-00 IF QUESTIONS CALL INSP. HADDAN (510)583-4170			

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT

33478			PFCA HOME EQUITY INVESTMENT TR	TOTAL	2,110.07	
228690	10/06/2011	078G 2730 020 00	MURTI ROHINI L 31279 BRAE BURN AVE HAYWARD CA	31279 BRAE BURN AVE 94544	664.89	4630 001 46
			WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WA11-1915; FAILED WEED REINSPECTION @ \$622.00 FOR 31279 BRAE BURN AV; APN 078G-2730-020-00. IF QUESTIONS CALL INSPECTOR KEMP 510/583-4171.			
32207			SHANKAR, RONALD	TOTAL	664.89	
237568	03/22/2012	445 0270 002 00	SHINGWEKAR UDAY G & ALKA P 450 LOWER VINTNERS CIR FREMONT CA	CENTRAL BLVD 94539	1,212.50	4630 001 46
			WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WA11-2825; CONTRACTOR ABATEMENT CHARGE @ \$220 .50 PLUS PER-PARCEL ABATEMENT COST @ \$992.00 FOR CENTRAL BLVD; APN 445-0270-002. IF QUESTIONS CALL INSPECTOR HADDAN 510/582-4170.			
40503			SHINGWEKAR, UDAY G & ALKA P	TOTAL	1,212.50	
225314	06/09/2011	445 0230 010 00	STEFFEN GUY F 25843 BEL AIRE DR HAYWARD CA	25843 BEL AIRE DR 94542	2,125.26	4630 001 46
			WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE CP 11-1823 - FAILED INSPECTION - FIRST \$622 ABATEMENT COST -- \$992.00; CONTRACTOR ABATEMENT CHARGE - \$330.75 @ 25843 BEL AIRE DR - APN: 445-0230-010-00 IF QUESTIONS CALL INSP. HADDAN (510)583-417			
38861			STEFFEN, GUY F	TOTAL	2,125.26	
225596	07/01/2011	432 0048 084 00	VILLASENOR ELIZABETH & GUSTAVO 924 COOPER CT STOCKTON CA	23045 HOPPER RD 95210	1,987.81	4630 001 46
			WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION WA 11-1048 - FAILED INSPECTION - FIRST \$622.00; CONTRACTOR ABATEMENT CHARGE \$220.50; ABATEMENT COST \$992.00 @23045 HOPPER RD - APN: 432-0048-084-00			

REPORT ID: FMIS-AR851
 DEPARTMENT: WEED ABATEMENT

C I T Y O F H A Y W A R D
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/08/2012
 PAGE NO. 7 TIME: 13:56

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
***** IF QUESTIONS CALL INSP. GOMEZ (510)583-4172 *****						
30177			VILLASENOR, ELIZABETH & GUSTAV	TOTAL	1,987.81	
225597	07/01/2011	081D 1635 035 00	WAIS NOORRAHMAN 301 EUCLID AVE 209 OAKLAND CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION WA 11-0828 - CONTRACTOR ABATEMENT CHARGE \$330.75; ABATEMENT COST \$992.00 @27081 CALL AVE - APN: 081D-1635-035-00 IF QUESTIONS CALL INSP. KEMP (510)583-4171	27081 CALL AVE 94610	1,444.82	4630 001 46
15320			WAIS, NOOR RAHAMAN	TOTAL	1,444.82	
225319	06/09/2011	442 0036 053 00	WHITT KIMBERLY S 1114 CITRON WAY HAYWARD CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE CP 11-1698 - SUBSEQUENT VIOLATION \$1451; CONTRACTOR ABATEMENT CHARGE \$220.50; ABATEMENT COST \$992 @1114 CITRON WAY - APN: 442-0036-053-00 IF QUESTIONS CALL INSP. GOMEZ (510)583-4172	1114 CITRON WAY 94545	2,844.81	4630 001 46
37580			WHITT, KIMBERLY S	TOTAL	2,844.81	
					TOTAL	54,260.46

***** END OF REPORT *****

DATE: June 12, 2012
TO: Mayor and City Council
FROM: Assistant City Manager
SUBJECT: Special Assessment Hearing and Report for Vehicle Abatement Fees Past Due

RECOMMENDATION

That Council adopts the attached resolution (Attachment I) confirming the report and assessment for overdue vehicle abatement fees for the period from January 1, 2011 through April 30, 2012, (Attachment II) and authorizing the assessments to become a special assessments against the properties if not paid on or before July 27, 2012.

BACKGROUND

Article 7, Chapter 5 of the Hayward Municipal Code (HMC), otherwise known as the Community Preservation Ordinance, currently makes it unlawful for Hayward property owners to allow the condition of their property to deteriorate to the point that it becomes detrimental to the public health, safety or general welfare of the community. This includes both inhabited properties and vacant properties, whether residential or commercial. Typical violations include debris, trash, vegetation, graffiti, signs, zoning issues, and abandoned and/or inoperable vehicles.

“Public nuisance” is defined in the Ordinance, as are the procedures for enforcing the Ordinance. The Ordinance provides due process protections that guarantee the property owners, who are cited for violations of the Ordinance, notice and the opportunity to be heard.

Once a violation of the Ordinance has been established at a particular property and all appropriate notifications have been made, fines, penalties, and/or abatement of the violation can and will be imposed. Consequently, once the property owner has exhausted his or her administrative remedies, the property owner must then pay any and all costs related to his/her property violations in the appropriate timeframe set forth in the Ordinance. If those costs are not paid in full prior to July 27, 2012, the unpaid charges are then scheduled for special assessment against the property once confirmed and authorized by Council resolution.

Vehicle abatements are submitted to Council separately from other assessments because vehicle violations are covered by two separate ordinances. Therefore, staff believes it cleaner to keep these separate from other abatement assessments, which are contained in a single ordinance.

DISCUSSION

The costs that make up the special assessment charges were calculated pursuant to the City's Master Fee Schedule. Fines and fees include: failed re-inspection(s) fees; abatement related costs; contractor fees; subsequent violation(s); liens; and past due fees.

As of the date of this writing, overdue bills (including contractor costs) affecting ten properties amount to approximately \$7,877. The accounts receivable list is attached as Attachment II. The unpaid charges, plus any administrative costs of the City and County, will become a special assessment against the property and will appear on the property owners' November tax bills.

A Notice to Abate, sent by certified registered mail, was sent to each property owner, and tenant if applicable, in accordance with the Ordinance. Property owners were given an opportunity for an Administrative Hearing to dispute the factual findings and/or assessment of fees. Four Administrative and/or Special Assessment Hearings were requested and conducted for the period from January 1, 2011 through April 30, 2012. Additionally, after three past due invoices were mailed to the property owners, a Final Invoice was sent by Certified Mail on May 11, 2012 advising them of the impending assessment against their property pursuant to Government Code Section 38773.5.

FISCAL IMPACT

There is no negative fiscal impact to the City of Hayward. There will be cost recovery reimbursed through special assessment or other collection processes. For example, in CY 2011, 97% of all vehicle abatement past due fines and fees, totaling \$13,180.41, which were levied through special assessments, have been collected thus far. It is anticipated that the remaining 3% will be collected on the November 2012 or April 2013 tax bills. The City of Hayward annually receives two special assessment allocations from the County, one in December and one in April.

PUBLIC CONTACT

Notice of City Council's confirmation of this report was published in the Daily Review on June 2, 2012. In addition, all first invoices include specific language giving the property owner an opportunity for a Special Assessment Hearing to contest the fees and/or penalties and encouraging them to pay their bills to minimize additional fees and to avoid being placed on the proposed assessment list. As mentioned above, staff conducted four administrative hearings, regarding vehicle abatement assessments. Property owners have until July 27, 2012 to pay all outstanding fees.

NEXT STEPS

A copy of the Special Assessment List will be forwarded by the City of Hayward's Revenue Division to the Alameda County Assessor's Office. Upon receipt, the Assessor's Office will attach the City of Hayward's fees past due as a special assessment against each parcel. That assessment will then appear on the property owners' November 2012 property tax bill for collection. When the County Assessor receives the tax payment, the City of Hayward will be reimbursed by the

Assessor's Office typically after payment of the second property tax installment in April of the following year.

Prepared by: Stacey Bristow, Neighborhood Partnership Manager

Recommended by: Kelly McAdoo Morariu, Assistant City Manager

Approved by:



Fran David, City Manager

Attachments:

I Resolution

II 2011 Proposed Vehicle Abatement Accounts Receivable List

HAYWARD CITY COUNCIL

RESOLUTION NO.

Introduced by Council Member

RESOLUTION CONFIRMING THE REPORT AND SPECIAL
ASSESSMENT LIST ASSOCIATED WITH OVERDUE
VEHICLE ABATEMENT CHARGES FOR THE PERIOD FROM
JANUARY 1, 2011 THROUGH APRIL 30, 2012

WHEREAS, in connection with the Vehicle Abatement Program, the Neighborhood Partnership Manager has rendered an itemized report in writing to this Council showing the cost of removing inoperable vehicles from certain properties in the City of Hayward described in the report; and

WHEREAS, the hour of 7 p.m. on Tuesday, June 12, 2012, in the Council Chambers, City Hall, 777 B Street, Hayward, California, was fixed as the time and place for this Council to consider the report, and a copy of the report has been posted and published in the manner required by section 5-7.110 of the Municipal Code; and

WHEREAS, the report was presented at the time and place fixed, and the City Council has considered the report and any comments with respect thereto.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that, except as may be amended by Council, the report of the Neighborhood Partnership Manager of the City of Hayward Vehicle Abatement Program on the cost of removing inoperable vehicles from the properties therein described, a copy of which is attached hereto, is hereby confirmed.

BE IT FURTHER RESOLVED that payments of assessments confirmed hereby may be received by the City of Hayward Finance Director up to the hour of 5 p.m. on July 27, 2012, and thereafter such official shall transmit the unpaid assessments to the County Auditor for collection on the property tax roll.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS: None

ATTEST:
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

REPORT ID: FMIS-AR851
 DEPARTMENT: VEHICLE ABATEMENT

CITY OF HAYWARD
 ACCOUNTS RECEIVABLE SYSTEM
 INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/08/2012
 PAGE NO. 1 TIME: 13:57

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
227911	09/08/2011	444 0015 020 01	UNKNOWN OWNER ORCHARD AVE HAYWARD CA	94544 ORCHARD AVE	82.11	4630 002 46
VEHICLE ABATEMENT VA 11-2589 - VEHICLE ABATEMENT (ORCHARD AVE) POSTPONEMENT - SECOND \$100.00 1959 GMC TRUCK (VIN: 101CS7191A) IF QUESTIONS CALL CSO ZIMMERMAN (510)714-1929						

39260					TOTAL	82.11

228843	10/20/2011	416 0170 001 00	CAMACHO JOSE & GEMA S 2233 KELLY ST HAYWARD CA	94541 2233 KELLY ST	666.17	4630 002 46
VEHICLE ABATEMENT CASE VH11-3079; FAILED VEHICLE INSPECTION DONE AT 2233 KELLY ST; APN 416-0170-001-00. IF QUESTIONS CALL C.S.O. ZIMMERMAN AT 293-7000.						

28311					TOTAL	666.17

230123	12/16/2011	444 0048 030 00	GLATT ROBERT L & CAROLINA 181 ORCHARD AVE HAYWARD CA	94544 181 ORCHARD AVE	318.10	4630 002 46
VEHICLE ABATEMENT CASE VH11-2961; FIRST REQUEST FOR POSTPONEMENT @ \$ 100.00 PLUS SECOND REQUEST FOR POSTPONEMENT @ \$200 .00 AT 181 ORCHARD AV; APN 444-0048-030. QUESTIONS CALL C.S.O. ZIMMERMAN 510/293-7000.						

39699					TOTAL	318.10

229170	11/03/2011	442 0060 002 00	HIGGINBOTHAM PAUL 2ND TR 720 KEY ROUTE BLVD ALBANY CA	94706 991 MALCOLM LN	2,912.97	4630 002 46
VEHICLE ABATEMENT CASE VH11-2995; 1ST FAILED INSPECTION \$622.00 PLUS 2ND POSTPONEMENT \$100.00 AND 2ND FAILED INSPECTION \$722.00 PLUS NO-SHOW FOR INSPECTION \$375.00 PLUS 3RD FAILED INSPECTION @ \$1022.00 991 MALCOLM; APN 442-0060-002. QUESTIONS? CALL 510/583-4143.						

22023					TOTAL	2,912.97

230139	12/16/2011	078G 2928 003 03	POOLE DAVID C & LOREE J 31576 MACDONALD WAY HAYWARD CA	94544 31576 MACDONALD WAY	622.00	4630 002 46
VEHICLE ABATEMENT CASE VH11-0209; FAILED VEHICLE INSPECTION AT \$622.						

DEPARTMENT: VEHICLE ABATEMENT

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT

			00 AT 31576 MACDONALD WAY; APN 078G-2928-003. IF QUESTIONS CALL C.S.O. ZIMMERMAN 510/293-7000.			
9769			POOLE, DAVID	TOTAL	622.00	
225352	06/16/2011	078G 2746 005 00	SOLEDAD LORENZO 31479 CARROLL AVE HAYWARD CA VEHICLE ABATEMENT VA 11-1512 - FAILED INSPECTION - FIRST \$622 @ 31479 CARROLL AVE - APN: 078G-2746-005-00 IF QUESTIONS CALL CSO ZIMMERMAN (510)293-7272	31479 CARROLL AVE 94544	689.48	4630 002 46
38879			SOLEDAD, LORENZO	TOTAL	689.48	
225354	06/16/2011	453 0055 025 00	STATE TRUSTEE SERVICES LLC TR 4535 W SAHARA AVE 200 LAS VEGAS NV VEHICLE ABATEMENT VA 11-1579 - FAILED INSPECTION - FIRST \$622 @ 718 HARRIS CT - APN: 453-0055-025-00 IF QUESTIONS CALL CSO ZIMMERMAN (510)293-7272	718 HARRIS CT 89102	713.26	4630 002 46
38880			STATE TRUSTEE SERVICES LLC TR	TOTAL	713.26	
207848	01/07/2010	444 0075 120 03	TAIRA MAURICE E & KAREN S 25753 WHITMAN ST HAYWARD CA VEHICLE ABATEMENT CASE VH09-2001; FAILED VEHICLE REINSPECTION ON 11/ 19/09 AT 25753 WHITMAN ST; APN 444-0075-120-03. IF QUESTIONS CALL C.S.O. COSGRIFF AT 510/583-4175.	25753 WHITMAN ST 94544	574.66	4630 002 46
34388			TAIRA MAURICE E & KAREN S	TOTAL	574.66	
228708	10/06/2011	463 0006 058 00	TALIAFERRO JOSEPH D 1815 OSAGE AVE HAYWARD CA VEHICLE ABATEMENT CASE VH11-3123; FAILED VEHICLE REINSPECTION @ \$622 .00 AT 1815 OSAGE AVE; APN 463-0006-058-00. CALL 510/293-7000 FOR C.S.O. ZIMMERMAN IF QUESTIONS.	1815 OSAGE AVE 94545	671.32	4630 002 46
38206			TALIAFERRO, JOSEPH	TOTAL	671.32	

REPORT ID: FMIS-AR851

CITY OF HAYWARD
ACCOUNTS RECEIVABLE SYSTEM
INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/08/2012
PAGE NO. 3 TIME: 13:57

DEPARTMENT: VEHICLE ABATEMENT

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
231210	03/02/2012	444 0039 088 00	TORRES ROWENA K	24818 JOYCE ST	627.00	4630 002
			TORRES, ROWENA K	HAYWARD CA		46
			VEHICLE ABATEMENT			
			CASE VH12-0125; FAILED VEHICLE REINSPECTION DONE			
			AT 24818 JOYCE ST; APN 444-0039-088-00 @ \$622.00.			
			IF QUESTIONS CALL C.S.O. ZIMMERMAN 510/293-7272.			

40314				TOTAL	627.00	

				TOTAL	7,877.07	
					=====	

***** END OF REPORT *****

DATE: June 12, 2012

TO: Mayor and City Council

FROM: Director of Human Resources

SUBJECT: Adoption of a Resolution to Approve an Amendment to the Hayward Police Management Unit Memorandum of Understanding

RECOMMENDATION

That the City Council adopts the attached Resolution approving an amendment, that includes the implementation of structural changes, to the Memorandum of Understanding (“MOU”) between the City and the Hayward Police Management Unit (“HPMU”).

BACKGROUND

The City of Hayward is facing a projected \$14.9 million shortfall in the General Fund for FY 2013, which will grow to \$19 million in FY 2014 if no changes are made. The City will also have an average deficit of \$20 - \$30 million annually over the next ten years if the City does not implement on-going structural change. A slow recovery from a national economic recession continues to impact City revenues significantly. In addition, the rising cost of employee retirement and health and welfare benefits is compounding the problem, as the incremental increases of these costs currently far exceed any potential revenue increases.

Employee costs comprise 80% of the General Fund budget. Therefore, reduction of personnel expenditures is necessary to match the modest recovery of revenues; and it is imperative that the City take whatever measures necessary to reduce expenditures to preserve the services provided to the Hayward community.

The City has requested and continues to request that all employee bargaining units achieve on-going structural savings in overall wage and benefit packages. The savings sought total 17%¹. The savings requested apply to all employees, regardless of whether the employee’s position is funded by the General Fund and/or a designated fund (i.e. Enterprise funds, Internal Service Funds, etc.).

¹ The 17% is calculated based on wages and all benefits impacted by wage amounts including PERS (employer contributions), Medicare taxes, and life and disability

Discussions about wage and benefit savings have largely included:

1. Foregoing cost of living wage adjustments during the term of the agreement;
2. Increasing employee contributions towards pension benefits;
3. Requiring an employee contribution towards the cost of retiree healthcare benefits;
4. Increasing employee contributions towards health and welfare benefits (i.e. medical, dental and vision monthly premiums);
5. Addressing needed reform in the City’s self-funded Worker’s Compensation Liability Program;
6. Containing costs related to paid leaves; and
7. Providing a mechanism to continue bargaining related to pension reform and other post-employment benefits (OPEB) at any time over the next three years.

Over the past several months, the City has been participating in discussions with all bargaining units to achieve overall savings in salaries and benefits of approximately \$9.1 million² in FY 2013 and \$14.7 million in FY 2014, with the caveat that any savings achieved would be in the form of on-going structural changes.

DISCUSSION

City negotiators and members of HPMU engaged in informal discussions from October 2011 through May 2012 to jointly negotiate changes to compensation packages in order to achieve substantial savings. Through these informal discussions, the parties have reached a tentative agreement that provides for structural changes to employee benefit programs. The tentative agreement meets the 17% savings target identified by the City, phased in over a period of three fiscal years and results in a savings of approximately \$250,000. The following table summarizes the changes made to salaries and benefits for employees in the HPMU:

Table 1: Summary of Structural Changes – HPMU Unit

<u>New Structural Change</u> FY 2013 & FY 2014
1. No COLA adjustment for FY 2013, FY 2014 and FY 2015
2. Employees to contribute 4% of the Employee PERS Rate in FY 2014 and the full 9% in FY 2015
3. Employees to contribute 8.45% of the Employer PERS Rate in FY 2013 and 8.62% in FY 2014
4. Fixed Employee contributions towards medical in FY 2013 and FY 2014 and then aligned with the HPOA in FY 2015
5. Employees contribute 1% of base salary to an irrevocable trust to fund retiree medical benefits beginning in FY 2015.

² This is in addition to the \$3.17M committed and accounted for as savings in the FY 13 projections from Local 1909, Fire Management and Fire Chiefs, \$300K from Unrepresented Employees, \$170K from HAME, and \$53K from Council Appointed Officers

Other terms of the agreement include: a cap on the maximum supplemental post-employment benefit that will be provided to new hires, which serves to contain the City's future OPEB liability; maintenance of an internal differential between the Captains and the Lieutenants of fifteen percent (15%); and conversion of holiday pay to a per pay period stipend.

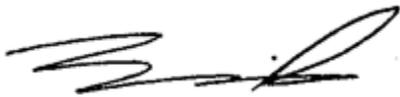
The changes agreed upon are significant in nature and the City recognizes the commitment of employees in the HPMU bargaining unit in making structural changes to their compensation package.

FISCAL IMPACT

The HPMU concession agreement represents an estimated \$250,000 in General Fund savings over a three year period.

Prepared and Recommended by: Frances M. Robustelli, Human Resources Director

Approved by:



Fran David, City Manager

Attachments:

Attachment I: Resolution approving an amendment to the Memorandum of Understanding (MOU) with the Hayward Police Management Unit

Attachment II: Agreement between the City of Hayward and the Hayward Police Management Unit, HPMU for the period of July 1, 2012 through June 30, 2015

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION APPROVING AN AMENDMENT TO THE HAYWARD POLICE MANAGEMENT UNIT MEMORANDUM OF UNDERSTANDING

WHEREAS, the Hayward Police Management Unit and its members (collectively, “HPMU”) are covered by a Memorandum of Understanding (“MOU”) that will not otherwise expire until June 30, 2015; and

WHEREAS, the City of Hayward is facing a projected General Fund deficit of \$14.9 million for FY 2013, which is projected to grow to \$19 million in FY 2014 if no changes are made; and

WHEREAS, the City requested employees consider changes to wage and benefit packages that would result in a 17% reduction in personnel costs; and

WHEREAS, HPMU recognizes the fiscal challenges that the City is facing and the essential need for ongoing and structural change to employee salaries and benefits; and

WHEREAS, the City and HPMU have reached a tentative agreement to modify the terms of the existing MOU, that meets the 17% savings target identified by the City which results in a General Fund savings of approximately \$250,000; and

WHEREAS, the membership of HPMU ratified the agreement on June 5, 2012.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the amendment to the existing Memorandum of Understanding between it and HPMU, a copy of which is attached as Exhibit 1.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

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
AND
HAYWARD POLICE MANAGEMENT UNIT**

SIDE LETTER OF AGREEMENT

This Side Letter of Agreement is made between the City of Hayward (City) and the Hayward Police Management Unit (“HPMU”) to amend certain provisions of the current Memorandum of Understanding effective July 1, 2007 and extended through June 30, 2015 (hereinafter referred to as the “2007-2015 MOU”) between the parties regarding the payment of employee PERS contributions, employee cost sharing (PERS), a supplemental retirement benefit, employee contributions to an irrevocable medical trust, employee contributions towards health and welfare benefits, salary adjustments and holidays.

The City and the HPMU agree that the terms of this Side Letter of Agreement shall become effective at the beginning of the pay period that includes July 1, 2012 and shall remain in effect for the remainder of the term of the 2007-2015 MOU and until the parties have completed the meet and confer process for a successor provisions or successor MOU. The terms of this Side Letter shall supersede and replace all other side letter and MOU provisions on the specific topics identified below.

1. PERS Pension Benefits

Effective July 1, 2012, Section 6.12 of the 2007-2015 MOU shall be deleted in its entirety and replaced with the following language:

A. Employee PERS Contributions

The City will continue to contract with the Public Employees’ Retirement System (PERS) to provide a retirement program for bargaining unit members. Benefits shall include:

1. 3% @ 50 benefit formula
2. Third Level of 1959 Survivor Benefits
3. Post-Retirement Survivor Allowance
4. One – Year Final Compensation
5. Military Service Credit as Public Service

6. Military Service Credit for Retired Persons
7. Continuation of Pre-Retirement Death Benefits After Remarriage of Survivor

These benefit plans require an employee (or member) contribution of 9% by police safety employees. Beginning with the pay period including July 1, 2013, employees shall pay four percent (4%) of the member contribution of nine percent (9%), which shall be paid by the employee on a pre-tax basis. Beginning with the pay period including July 1, 2014, employees shall pay the entire member contribution of nine percent (9%), which shall be paid by the employee on a pre-tax basis.

B. Cost Sharing of Employer Contribution

As authorized by Government Code Section 20516 (Optional Benefits, Cost Sharing), employees shall share in the employer costs of providing pension benefits through PERS. The percentage of the employer contribution that will be shared by HPMU represented employees will be equal to the percentage shared by employees represented by the Hayward Police Officers' Association ("HPOA").

For FY 2013 HPMU represented employees agree to contribute 8.45% of their salaries as payment towards the City's employer contribution for PERS pension benefits; said contribution shall be credited to each member's account as a normal contribution. This percentage is equal to the amount that HPOA represented employees have agreed to contribute towards the employer contribution for FY 2013.

For FY 2014 HPMU represented employees agree to contribute 8.62% of their salaries as payment towards the City's employer contribution for PERS pension benefits; said contribution shall be credited to each member's account as normal contribution. This percentage is equal to the amount that HPOA represented employees have agreed to contribute towards the employer contribution for FY 2013.

For FY 2015, HPMU represented employees agree to contribute the same percentage of their salaries as paid by HPOA represented employees towards the City's employer contribution for PERS pension benefits. The parties recognize that, as of the drafting of this Side Letter, the City and HPOA have not yet meet and conferred as to the amount of any cost-sharing

ATTACHMENT II
Exhibit 1

of the employer contribution by HPOA members for FY 2015. HPMU waives its right to meet and confer with the City regarding the amount of any payments that will be made by employees towards the City's employer contribution for PERS pension benefits during FY 2015 and agrees to be bound by any agreement that is reached between the City and HPOA on such contributions.

Any contributions provided by HPMU represented employees under this provision towards the employer contribution shall be in addition to the member contributions provided under subsection A above. The City will not treat any payments made towards the employer contribution as compensation subject to income tax withholding unless the Internal Revenue Service or the Franchise Tax Board indicates that the contributions are taxable income subject to withholding. Each employee shall be solely and personally responsible for any federal, state or local tax that may arise out of the implementation of this provision or any penalty that may be imposed therefrom.

2. Benefit Plans

Sections 5.01 and 5.02 of the 2007-2015 MOU is deleted in its entirety and replaced with the following language:

5.01 Medical Insurance

The City currently contracts with Public Employees' Retirement System (PERS) for the purpose of providing medical insurance benefits for active employees, eligible retired employees and eligible survivors of retired employees. Eligibility of a dependent to participate in this program shall be in accordance with the terms of the Public Employees' Medical and Hospital Care Act (PEMHCA). Eligibility of retired employees and survivors of retired employees to participate in this program shall be in accordance with those provisions of the PEMHCA providing for participation by "annuitants."

The City's employer contribution towards medical insurance benefits for each eligible employee shall be the minimum contribution amount required by Government Code Section 22892. Contributions provided under this section are required only to the extent mandated by the PEMHCA.

ATTACHMENT II
Exhibit 1

For calendar year 2012, the City currently provides an employer contribution of \$112.00 per month to PERS for each eligible active employee towards the purchase of medical insurance benefits. In the event PERS requires a minimum employer contribution in excess of \$112.00 per month, the City shall pay such additional amounts as approved by the City Council. Because PERS may change carriers and plans, the City shall not be required to provide a specific insurance coverage and shall only be required to provide those benefits as described in this Section so long as the City contracts with PERS for medical insurance benefits.

The City will provide each eligible annuitant, as defined by the PEMHCA, with an employer contribution towards medical insurance benefits that is equal to the contribution provided to an active employee under this Section 5.01.

5.02 Flexible Benefits Plan

The City shall provide a contribution to the City's flexible benefits plan (125 Plan) for each full-time employee in regular or probationary status who is enrolled in one of the PERS medical insurance plans offered by the City. Employees can use this contribution to offset the cost of benefits purchased through the 125 Plan. The value of any flexible benefit allowance provided by the City under this Section shall be determined as follows:

Each year, the City will review the premiums charged by PERS for employee +2 or more level insurance coverage (family coverage) to determine the second highest cost plan. The City's contributions to the 125 Plan shall be based on the premium charged by the second highest cost plan and shall be equal to the premium for the level of insurance coverage selected by the employee, less the City's contribution pursuant to Section 5.01 above and any reductions provided for in this Section 5.02. If an employee elects to participate in a plan that charges a premium that is less than the premium for the second highest cost plan, then the City's contribution to the 125 Plan on behalf of that employee shall be equal to the premium charged by that plan, less the City's contribution pursuant to Section 5.01 above and any reductions provided for in this Section 5.02.

Beginning July 1, 2012 and through June 30, 2013, the City's contribution to employee flexible benefit accounts shall be reduced by an amount equal to \$1,087.84 per month (or an annual total of \$13,054). Employees participating in City sponsored health insurance plans shall be required to pay the

ATTACHMENT II
Exhibit 1

difference between the premium cost for the employee selected plan and any employer contributions made under Section 5.01 and this Section 5.02. Employee contributions shall be paid in the form of payroll deductions to be paid in equal installments. Deductions for medical plan premiums are generally taken twice per month (for a total of 24 annual deductions).

Beginning July 1, 2013 through June 30, 2014, the City's contribution to employee flexible benefit accounts shall be reduced by an amount equal to \$830.16 per month (or an annual total of \$9,962.) Employees participating in City sponsored health insurance plans shall be required to pay the difference between the premium cost for the employee selected plan and any employer contributions made under Section 5.01 and this Section 5.02. Employee contributions shall be paid in the form of payroll deductions to be paid in equal installments. Deductions for medical plan premiums are generally taken twice per month (for a total of 24 annual deductions).

If an incumbent employee makes any changes to his/her health insurance enrollment during either FY 2013 or FY 2014, then the amount of any reduction to City contributions to the 125 Plan shall be prorated to reflect the savings targets identified during the negotiations for this Side Letter of Agreement. The above employee medical plan premium contributions are based on participation by the incumbent employees in family level coverage.

If during FY 2013 or FY 2014, an individual is newly appointed, either in a probationary or regular status, to a position represented by HPMU, then the amount of any reduction to City contributions to the 125 Plan on behalf of the newly appointed employee shall be prorated to reflect: (1) the number of pay periods remaining in the fiscal year in which the employee is appointed; and (2) the employee's selected insurance coverage level if it is something other than family level coverage.

Beginning July 1, 2014, any reduction in the City's contribution to the 125 Plan shall be as the same percentage and/or flat dollar amount that is contributed by HPOA members.

Contributions to an employee's flexible benefits account shall be used only for payment of those benefits that are available through the 125 Plan. Each employee shall file an election in writing during the month of open enrollment for medical insurance each year designating how the contributions in his or her flexible benefits account are to be spent during the ensuing year.

Thereafter, no changes to designations so made shall be allowed until the enrollment of the following year, except for changes due to an eligible qualifying event.

Each employee shall be responsible for providing immediate written notice to the Human Resources Director or designee any change to the number of his or her dependents which would affect the amount of the City's payment to the flexible benefits account. An employee who, by reason of failing to report a change in dependents, receives a City payment greater than the amount to which he or she is entitled, shall be liable for refunding the excess amount received via a reduction in the amount paid to employee's flexible benefit account in subsequent months. Changes to flexible benefit contributions associated with changes in an employee's number of dependents shall take effect at the start of the first pay period in the month following the month in which notice of the change is received by the Human Resources Department. No retroactive increases to the flexible benefit allowance provided by the City shall be allowed.

3. Supplemental Retirement Benefits

The following Section 5.10 is added to the 2007-2015 MOU:

5.10 Supplemental Retirement Benefit

The City will provide eligible employees who retire from the City (either due to a disability retirement or a service retirement) with a supplemental retirement benefit as provided in this Section.

Employees who are appointed to an HPMU represented position before June 12, 2012 and who retire from the City will receive a supplemental retirement benefit that that is equal to the Kaiser North single party premium rate, less the amount of any annuitant contribution provided under Section 5.01 above.

Employees who are appointed to an HPMU represented position on or before June 12, 2012 and who retire from the City will receive a supplemental retirement benefit equal to the premium for the individual's participation in a plan provided by PERS as an annuitant, less the amount of any annuitant contribution provided under Section 5.01 above, up to a maximum benefit of \$508.30 per month.

ATTACHMENT II
Exhibit 1

The supplemental benefits provided under this section are paid in the form of cash to the retiree on a monthly basis. In order to receive a benefit under this provision, an employee must: (1) directly retire from active employment with the City; (2) have worked a minimum of ten (10) years with the City before directly retirement; and (3) begin receiving pension benefits from CalPERS within one-hundred and twenty (120) days of leaving City employment. Retirees are solely responsible for any tax consequences associated with the receipt of benefits under this Section.

Beginning with the pay period that includes July 1, 2014, all bargaining unit members shall contribute on a post-tax basis, one percent (1%) of their base salary to an irrevocable trust to fund the supplemental benefits provided under this Section.

4. Holidays and Holiday Pay

Effective July 1, 2012, Section 4 of the Side Letter of Agreement between the City and HPMU, dated June 13, 2011, regarding holidays is deleted. The parties agree that the half day holiday on Christmas Eve and the half-day holiday provided on New Year's Eve under Section 7.01 of the 2007-2015 MOU shall remain in effect.

Section 7.04 "Payment for Holidays Worked" of the 2007 -2015 MOU is deleted in its entirety and replaced with the following language and terms:

Employees assigned to this unit shall receive 6.73% additional compensation per pay period, calculated on their base pay only, in lieu of being allowed to take paid time off or accrue paid time off for a City holiday.

An employee who works on a designated City holiday as part of the employee's regular work schedule will not receive any additional compensation based solely on the day's designation as a City recognized holiday.

Employees who wish to take a holiday off will be required to use accrued vacation.

5. Salary Administration Policy

For FY 2013, FY 2014 and FY 2015, the parties agree to amend MOU Section 6.01 (Salary Administration Policy) by adding the following language:

HPMU bargaining unit members agree to relinquish permanently any salary adjustments they are entitled to receive pursuant to the current MOU for FY 2013, FY 2014 and FY 2015.

Notwithstanding such relinquishment, the City agrees to maintain the fifteen percent salary (15%) differential between the base salary of police captains and the base salary of police lieutenants.

6. Economic Reopener

The parties acknowledge that certain provisions of this Side Letter link the compensation and benefits provided to HPMU represented employees to the compensation and benefits that will be provided to HPOA represented employees. The parties also acknowledge the City has identified a savings target equal to a minimum 17% reduction in employee costs in the HPMU unit for Fiscal Year 2015. If during Fiscal Year 2015, the linked provisions of this Side Letter do not result in the identified 17% reduction in employee costs in the HPMU bargaining unit, then the City and HPMU agree to reopen negotiations on all economic issues including but not limited to wages, health benefits and retirement.

Re-opener negotiations shall commence on December 1, 2013.

Executed on this _____ day of _____, 2011, at Hayward, California

For the City of Hayward:

For the Hayward Police Management Unit:

Frances David
City Manager

Bob Palermini
President

DATE: June 12, 2012

TO: Mayor and City Council

FROM: Human Resources Director

SUBJECT: Adoption of a Resolution Authorizing Amendment of the Salary and Benefits Resolution for the Unrepresented Management, Human Resources and City Attorney Employees

RECOMMENDATION

That the City Council adopts the attached Resolution approving an amendment to the Salary and Benefits Resolution for the Unrepresented Management, Human Resources, and City Attorney Employees.

BACKGROUND

The Salary and Benefits Resolution for Unrepresented Management, Human Resources, and City Attorney Employees (“Resolution”) was adopted by Council on March 6, 2012 (Resolution Number 12-028). The position of Police Chief is an unrepresented management position. Section 12.09 will be added to the Resolution to describe certain aspects of the salary and benefits for the Police Chief. Because the Police Chief position is a “Local Police Officer” as that term is defined under the Public Employees’ Retirement Law (“PERL”), the benefits applicable to this position are different from the benefits applicable to other Executive employees (who are defined as either “miscellaneous” employees or, in the case of the Fire Chief, as a “Local Firefighter” under the PERL).

California Code of Regulations, Title 2, §§ 570.5 and 571 provide that the pay rates and special compensation pay of employees who are members of the California Public Employees’ Retirement System (“CalPERS”) be listed on a pay schedule in a public document that is approved and adopted by the employer’s governing body. The proposed addition of Section 12.09 to the Resolution is intended to meet this requirement while reflecting the unique status of the Police Chief under the PERL.

DISCUSSION

The City treats the Police Chief like a member of the Hayward Police Management Unit (“HPMU”) for purposes of CalPERS benefits, including certain items of special compensation.

On June 6, 2012, the City and HPMU reached a tentative agreement to increase the employee payment of the employer PERS contribution to 8.45% in FY 2013 and 8.62% in FY 2014 and FY 2015. This increase mirrors the increased employer contribution payments agreed to by the Hayward Police Officers Association and ensures that all Local Police Officers make the same percentage contribution towards the employer costs of providing PERS pension benefits.

The City of Hayward recognizes the benefit of having police officers that are well prepared to meet the unique challenges confronting law enforcement agencies. To that end, the City has established the Police Education Incentive Program, which provides additional compensation to those officers who complete specialized educational and training programs. This additional compensation is reported as special compensation as required by the PERL.

The proposed amendment to the Unrepresented Employee resolution would align the Police Chief's PERS contributions with other Local Police Officers, consistent with the requirements of the PERL. In addition, the proposed amendment would clarify that the position of Police Chief is eligible to participate in the Police Education Incentive Program on the same terms as other employees who constitute Local Police Officers under the PERL. This is to ensure compliance with the PERL and to clarify that the position of Police Chief receives the same pension related terms of compensation that are currently provided to other Local Police Officers who are management employees.

FISCAL IMPACT

The proposed changes are administrative. There is no fiscal impact associated with amending the Salary and Benefits Resolution of the Unrepresented Management, Human Resources and City Attorney Employees. The Police Chief position is currently funded in the adopted budget for FY 2013.

Prepared and Recommended by: Frances M. Robustelli, Human Resources Director

Approved by:



Fran David, City Manager

Attachments:

Attachment I: Resolution approving an amendment to the Salary and Benefits Resolution for Unrepresented Management, Human Resources and City Attorney Employees

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION AUTHORIZING AN AMENDMENT OF THE SALARY AND BENEFITS RESOLUTION FOR THE UNREPRESENTED MANAGEMENT, HUMAN RESOURCES AND CITY ATTORNEY EMPLOYEES

WHEREAS, the City Council adopted the Salary and Benefits Resolution for Unrepresented Management, Human Resources and City Attorney Employees on March 6, 2012; and

WHEREAS, the Police Chief is a member of the Executive Team and this position is covered by the Unrepresented Management, Human Resources, and City Attorney Employees Salary and Benefits Resolution; and

WHEREAS, in compliance with California Code of Regulations, Title 2, Sections 570.5 and 571, the pay rate and special compensation of employees that are members of California Public Employees Retirement System (CalPERS) must be in a single document that has been approved by the governing body and is available for public view; and

WHEREAS, the Salary and Benefits Resolution complies with the law and Section 12.09 has been added to reflect the current salary, benefits and special compensation applicable to the position of Police Chief.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby amends the Unrepresented Management, Human Resources and City Attorney Employees Salary and Benefits Resolution, effective June 13, 2012, to include the following Section 12.09, titled "Police Chief":

Section 5.12 of this Resolution detailing the defined benefit retirement plan shall not apply to the Police Chief. Instead, retirement benefits for the Police Chief will be the same as those set forth in any collective bargaining agreement between the City and the Hayward Police Management Unit. In addition, the Police Chief is eligible to participate in the Police Educational Incentive Program on the same terms as members of the Hayward Police Management Unit. Except as specifically provided in this Section 12.09 all other provisions of this Resolution shall apply to the Police Chief.

This Section 12.09 shall remain in effect until thereafter amended or rescinded by the City Council.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

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

DATE: June 12, 2012

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 - Approve the Engineer's Report, Confirm the Assessment Diagram and Assessment, and Order the Levy and Collection of Assessments for Fiscal Year 2013

RECOMMENDATION

That the City Council adopts the attached Resolution (Attachment I) approving the Engineer's Report, confirming the assessment diagram and assessment, and ordering a levy and collection of assessments for Fiscal Year 2013 for Maintenance District No. 1.

BACKGROUND

The annual Engineer's Report (Report) for Maintenance District No. 1 (Attachment II) is presented to the City Council in compliance with Section 10-10.25 of the Hayward Municipal Code. The Report includes the recommended amount of assessment to be levied against each property for Fiscal Year 2013 and is consistent with the preliminary engineer's report presented to Council on April 24, 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 the 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. Such agreement indicates the City is to provide 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 2013 budget amounts in the attached Report.

DISCUSSION

On April 24, 2012, the Council adopted Resolution No. 12-056, approving the Preliminary Engineer's Report, declaring intention to levy assessments for Fiscal Year 2013, and setting June 12, 2012, as the public hearing date concerning Maintenance District No. 1. The MD-1 annual assessment does not provide sufficient funds for the annual operating and maintenance costs, and it also fails to fully fund the required capital reserves, because the base maximum assessment amount of \$171.60 set in 1995 prior to the passage of Proposition 218 does not provide for inflationary cost adjustments to account for on-going increases to MD-1 operating costs. However, absent approval by the affected property owners, the Fiscal Year 2012 assessment cannot exceed \$171.60 per parcel.

In 2006, staff proposed to have the base assessment increased to \$205.92 and indexed to the CPI thereafter to account for the installation of a Supervisory Control and Data Acquisition (SCADA) system and ongoing increases to the MD-1 maintenance and operating costs. Ballots were sent to all property owners in the MD-1 area and the proposed assessment increase was defeated by a wide margin. Staff has not conducted a recent detailed analysis to determine how much the base assessment would need to be increased to fully cover costs and establish the required capital reserve fund. As an estimate, staff applied a CPI increase to the proposed 2006 assessment amount and incorporated cost information from Alameda County Flood Control District, which indicated a required assessment of approximately \$250 to \$300 per parcel for Fiscal Year 2013.

As mentioned above, the Flood Control District administers MD-1's capital reserve fund, which had a balance of approximately \$60,000 as of January 1, 2012. The Flood Control District is responsible for maintaining the MD-1 pump station, which consists of a control building that houses a power generator and SCADA system, and a concrete pump plant that houses three main pumps, outfall structure, flap gates and appurtenances. These structures may need to be replaced/repared when a disaster occurs, such as an earthquake. Given the limited capital reserve fund, there will likely be insufficient funds to replace/repair such facilities. However, if needed, the \$60,000 reserve fund balance is enough to replace two out of three main pumps, all three of which were replaced/repared in 2004. Also, it is anticipated that in three years, there should be sufficient capital reserve funds to replace the third pump if needed, which would be prior to the 15-year potential end of the life of the pumps in 2019. These three main pumps are operated alternatively; therefore, it is very unlikely that all three would fail within any given year.

In summary, the current reserve fund balance of \$60,000, which relates to the established base maximum assessment that cannot be increased without an affirmative vote of the District property owners, will be insufficient if the pumps need to be replaced and any of the following occur:

1. The annual maintenance costs, such as materials, fuel, regulatory permits, and regular maintenance and administration, increase beyond the current annual level of approximately \$26,150. Given rising fuel costs, permit fees, etc., such costs will likely increase in the future.
2. The Flood Control District no longer accepts a \$5,500 payment toward the Capital Replacement Fund.
3. Major unscheduled work is needed, such as desilting or performing any structural repairs of the control building and the pump plant (see comments above regarding disasters).

Also, as has been done since 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 2013 to pay for drainage and access maintenance services budgeted in the Engineer's Report for MD-1. Similar to MD-1, because the LLD Zone 4 annual collection rate of \$121 per parcel is at the base maximum assessment amount that cannot be increased without approval by the affected property owners, and because of requirements for maintenance and operation of MD-1 facilities, the City has reduced the level of maintenance and services in LLD Zone 4 to coincide with the projected revenue to be received.

If the base maximum assessment rate and the annual collection rate are never increased in order to fully cover maintenance and operation costs (currently subsidized by LLD Zone 4 funds) and replenish the required capital reserve fund, one option is that the Council may authorize the replacement or reconstruction of the pump station based on a reduced level of flood protection, i.e. new pump station is to provide a flood level protection associated with a 15-year storm event, instead of the current 100-year storm event. Such adjustment would likely place properties in the MD-1 boundary in the Special Flood Hazard Area (SFHA) of one-percent annual flood (100-year flood) as defined by the Federal Emergency Management Agency (FEMA). Property owners with mortgages will be required to purchase flood insurance coverage, at significant personal expense, mandated under the Flood Disaster Protection Act of 1973 if the property is located in the SFHA.

Proposition 218 Compliance - The proposed collection of the assessment for Fiscal Year 2013 is at the same rate as last year and is in compliance with the provisions of Proposition 218, because the collection of the assessment does not exceed the previous approved assessment formula. Therefore, Proposition 218 proceedings are not needed.

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 for maintaining the pump station, can still be paid by the MD-1 fund account, with some augmentation from LLD Zone 4 funds. However, if base maximum assessment and collection rates are never increased to cover ongoing costs, other sources of funding will need to be secured at some point in the future. Alternatively, the level of maintenance and services would need to be reduced, which could result in the impacts identified in the Discussion Section above.

PUBLIC CONTACT

A Notice of Public Hearing for this hearing and a public meeting notice for a May 23, 2012 public meeting were published once in *The Daily Review* newspaper and mailed to all affected property owners within MD-1. The public meeting was held on May 23, 2012, so that property owners would have the opportunity to ask questions regarding assessments and services, and staff would be available to explain MD-1 responsibilities and funding processes. No property owners in MD-1 attended that public meeting. The property owners may also raise questions about assessments during the June 12 public hearing before the City Council. As of the writing of this report, no responses to such hearing notice have been received by staff.

NEXT STEPS

Once the City Council adopts the attached resolution, the final Assessor's tax roll will be prepared and filed with the County Auditor's Office, no later than the third Monday in August following such adoption, allowing the assessments to be included on the Fiscal Year 2013 tax roll.

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

Attachment II Engineer's Report

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-__

Introduced by Council Member _____

RESOLUTION APPROVING THE ENGINEER'S REPORT, CONFIRMING THE ASSESSMENT DIAGRAM AND ASSESSMENT, AND ORDERING LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2013 FOR MAINTENANCE DISTRICT NO. 1: STORM DRAIN PUMPING STATION AND STORM DRAIN CONDUIT - PACHECO WAY, STRATFORD ROAD, AND RUUS LANE (MD NO.1)

WHEREAS, by adopting Resolution No. 12-056 on April 24, 2012, this City Council approved the preliminary Engineer's Report and declared intention of levying assessments for Fiscal Year 2013 in accordance with the provisions of Section 10-10.25 of the Hayward Municipal Code; and

WHEREAS, a noticed public meeting was held on May 23, 2012, to provide information and allow affected property owners an opportunity to speak on the proposed levy of assessment and preliminary Engineer's Report, and no comments were received; and

WHEREAS, June 12, 2012, at the hour of 7:00 p.m., in the regular meeting place of this Council, City Council Chambers, 777 B Street, 2nd Floor, Hayward, California, has been appointed as the time and place for a hearing by this City Council for approval of the Engineer's Report and levy of assessments; and

WHEREAS, at the appointed time and place, said hearing was duly and regularly held, and all interested persons desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to said levy were fully heard and considered by this City Council.

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

1. The public interest, convenience, and necessity require that the levy be assessed;
2. The properties benefitted by the improvements and to be assessed in order to reimburse the costs and expenses thereof, and the exterior boundaries thereof, are shown on the maintenance district diagram attached hereto as Exhibit "A" and included in the Engineer's Report;

3. Said Engineer's Report as a whole and each part thereof, to wit:
 - (a) the engineer's estimate of the itemized and total costs and expenses of the improvements and of the incidental expenses in connection therewith and the method of cost allocation and schedule of assessments;
 - (b) assessment roll, identifying the property within the district and setting the base monetary obligation of each property owner;
 - (c) the maintenance district diagram;
 - (d) the map of the maintenance district showing the boundaries and the respective lots within the district;

are finally approved and confirmed and incorporated herein.

4. Adoption of the Engineer's Report as a whole, estimate of the costs and expenses, the diagram, the assessment and the collection of fees as contained in said report, as hereinabove determined and ordered, is intended to and shall refer and apply to said report, or any portion thereof, as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any, heretofore duly adopted by or made by this City Council.
5. The assessment in the amount of \$171.60 per lot to pay the costs and expenses of the maintenance of the improvements is hereby levied, and the remaining funds on deposit in the improvement fund are adequate to cover a portion of the assessments for Fiscal Year 2013, and the City of Hayward Director of Finance is hereby directed to expend said money for the maintenance of the improvements set forth in this resolution and described in the Engineer's Report, and it is hereby determined to order the collection of \$171.60 per lot.
6. Based on the oral and documentary evidence offered and received, including the Engineer's Report, this City Council expressly finds and determines:
 - (a) that each of the lots in the district will be specially benefitted by the improvements at least in the amount, if not more than the amount, of the assessment apportioned against the lot;
 - (b) that there is substantial evidence to support this finding and determination as to special benefit;
 - (c) any public property owned by any public agency and in use in the performance of a public function with the district shall not be assessed.

7. Immediately upon the adoption of this resolution, but in no event later than the third Monday in August following such adoption, the City Clerk shall file a certified copy of this resolution, the diagram, and the assessment with the Auditor of the County of Alameda. Upon such filing, the County Auditor shall enter on the county assessment roll opposite each lot or parcel of land the amount of assessment thereupon as shown in the assessment. The assessments shall be collected at the same time and in the same manner as county taxes are collected, and all laws providing for the collection and enforcement of county taxes shall apply to the collection and enforcement of the assessments. After collection by the County of Alameda, the net amount of the assessments, after deduction of any compensation due the county of collection, shall be paid to the Director of Finance of the City of Hayward.

8. Upon receipt of monies representing assessments collected by the county, the Director of Finance of the City of Hayward shall deposit the monies in the City treasury to the credit of an improvement fund, under the distinctive designation of said Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane. Monies in said improvement fund shall be expended only for said maintenance of the improvements set forth in the Engineer's Report, referenced in this resolution.

IN COUNCIL, HAYWARD, CALIFORNIA, June, _____, 2012

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

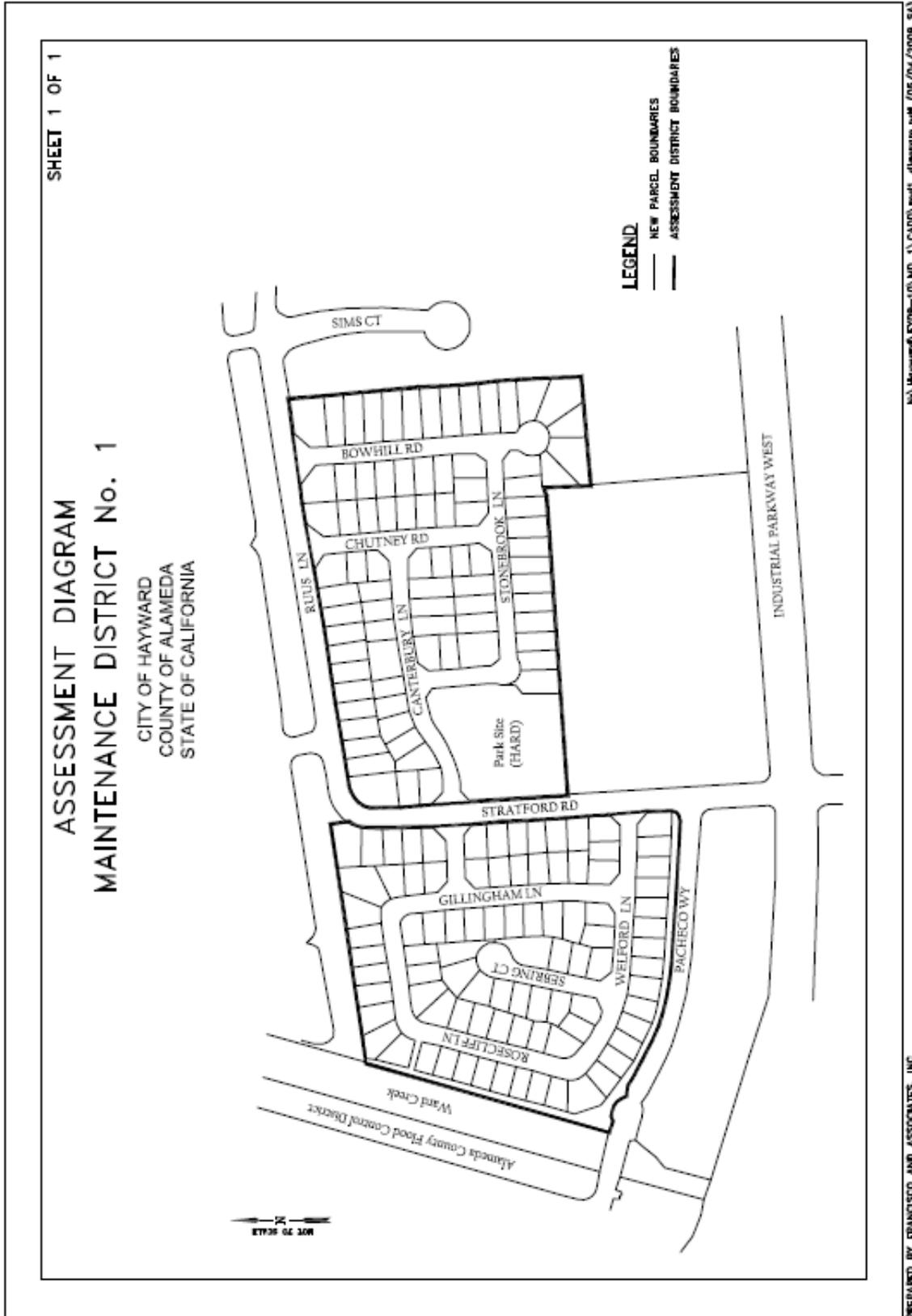
ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

 City Attorney of the City of Hayward

EXHIBIT 'A'



FINAL ENGINEER'S REPORT

CITY OF HAYWARD
MAINTENANCE DISTRICT No. 1

Fiscal Year 2013



June 12, 2012

	Page No.
Agency Directory	3
Certificates	4
Section I - Introduction	5
Section II - Report	7
Part A - Plans and Specifications	8
Part B - Estimate of Cost	9
Table 1: Cost Estimate	10
Part C - Maintenance Assessment District Diagram	11
Part D - Method of Apportionment of Assessment	12
Part E - Property Owner List & Assessment Roll	13
 Appendix A - Vicinity Map	
 Appendix B - Assessment Diagram	
 Appendix C - Fiscal Year 2013 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

Morad Fakhrai, P.E.
Director of Public Works – Engineering and Transportation

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

CITY OF HAYWARD
MAINTENANCE DISTRICT No. 1
FISCAL YEAR 2013

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 _____, 2012.

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 _____, 2012.

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 _____, 2012.

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 2013

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 XIII C and XIII D 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 2013, the proposed collection rate is \$171.60 per parcel, the same as the current fiscal year. Since the proposed Fiscal Year 2013 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 June 12, 2012, 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 2013 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 2013

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. 12-056, Preliminarily Approving the Engineer's Report, on April 24, 2012 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 2013

The following improvements are proposed to be operated, maintained and serviced in Maintenance District No. 1 for Fiscal Year 2013:

- *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 2013, 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 2013 are summarized in Table No. 1 on the following page. These cost estimates are based on Alameda County budget projections for Fiscal Year 2013.

TABLE I: COST ESTIMATE FISCAL YEAR 2013	
Fund 836 - Maintenance District No. 1	
	Fiscal Year 2013 Budget
Number of Assessable Parcels	175
Beginning City Fund Balance of Fiscal Year (July 1, 2012)	<u>\$28,533.12</u>
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	\$62,952.61
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$1,400.00
(b) Maintenance Work: Landscaping maintenance plus debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	
Subtotal I:	\$1,400.00
<u>II. Supplies & Services</u>	
(a) Special Services	\$845.00
(b) Alameda County Flood Control District ¹	\$31,650.00
(c) Supplies: printing, postage and publishing	\$300.00
Subtotal II:	\$32,795.00
<u>III. Administrative Services</u>	
(a) Administration	\$1,000.00
Subtotal III:	\$1,000.00
Total Expense (Sum of I, II and III)	<u>\$35,195.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$27,757.61</u>
Withdraw from Reserves	<u>(\$775.89)</u>
RESERVE DETAIL	
(a) Required Working Capital from Capital Reserves for first six months of fiscal year (50% of Total Expense) ²	\$0.00
(b) Current Capital Replacement Fund at Flood Control District ³ (\$61,785)	
Anticipated City Fund Balance at the end of Fiscal Year	\$27,757.61
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 2013.

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 XIIIID, 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 XIIIID 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 2013 maintenance and incidental costs are estimated to be \$35,195.00. The collection rate for Fiscal Year 2013 will be at the maximum base assessment of \$171.60 per parcel.

PART E

PROPERTY OWNER LIST & ASSESSMENT ROLL

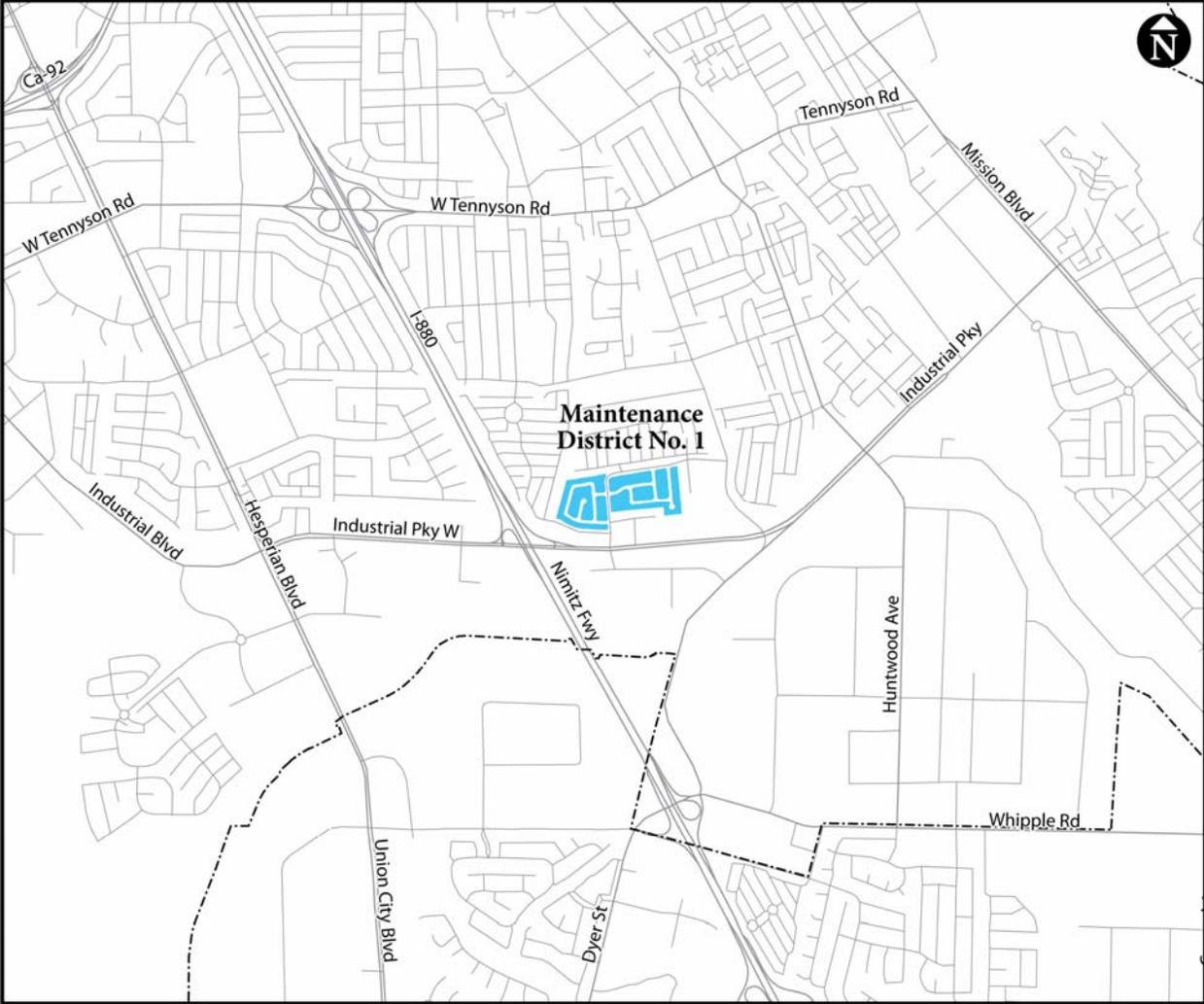
A list of names and addresses of the owners of all parcels within the City of Hayward's Maintenance District No. 1 is shown on the last equalized Property Tax Roll of the Assessor of the County of Alameda, which is hereby made a part of this report. This list is keyed to the Assessor's Parcel Numbers 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 2013 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 2013 is \$30,030.00.

The Assessment Roll for Fiscal Year 2013 is included in Appendix "A" of this Report and is on file in the Office of the Hayward City Clerk.

APPENDIX A
VICINITY MAP



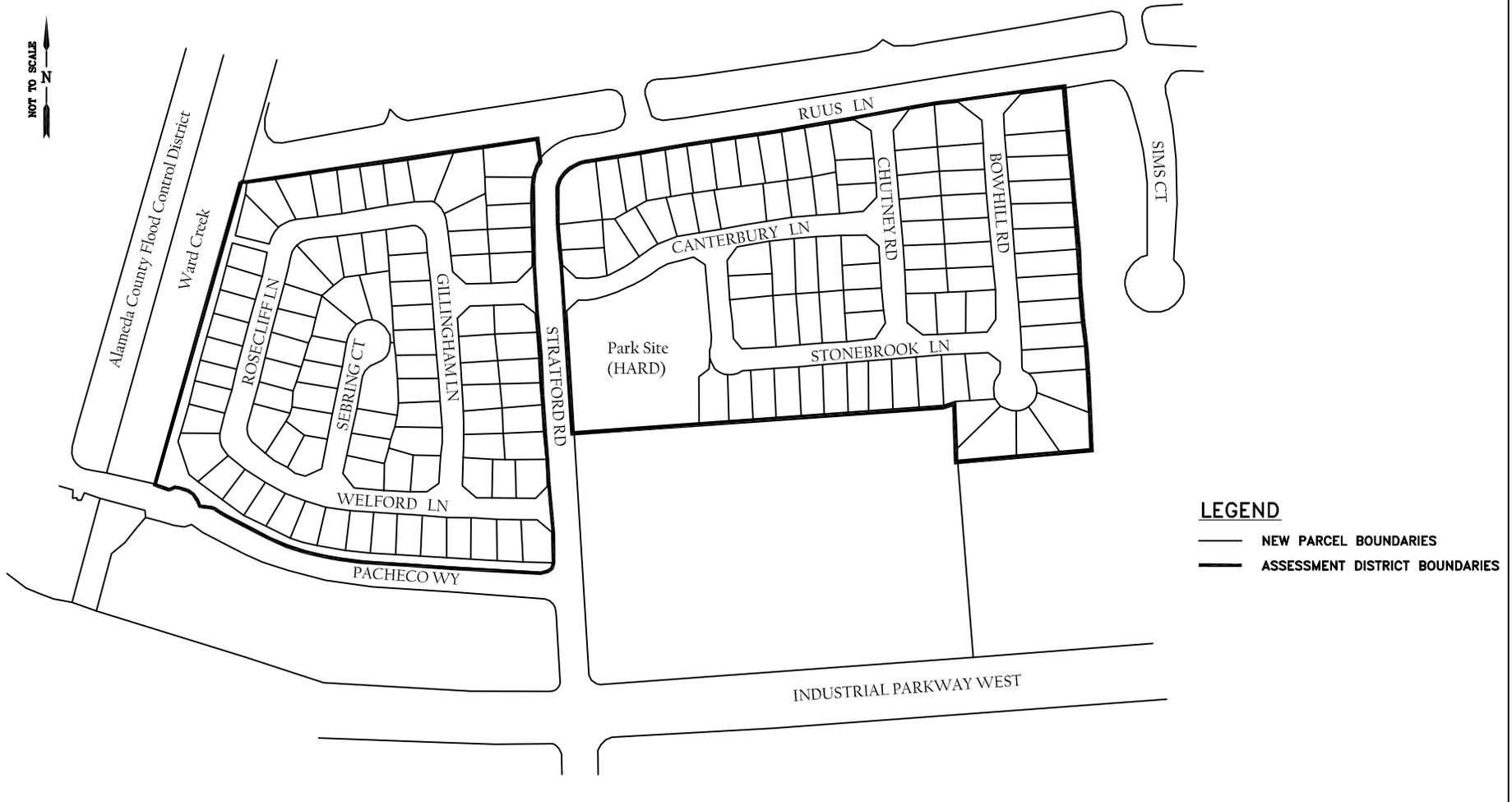
APPENDIX B
ASSESSMENT DIAGRAM

ASSESSMENT DIAGRAM MAINTENANCE DISTRICT No. 1

SHEET 1 OF 1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

NOT TO SCALE



LEGEND

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

APPENDIX C
FISCAL YEAR 2013
ASSESSMENT ROLL

FINAL ASSESSMENT ROLL
FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount
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
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

DATE: June 12, 2012

TO: Mayor and City Council

FROM: Director of Development Services

SUBJECT: Maintenance District No. 2 – Eden Shores Storm Water Facilities and Water Buffer - Approve the Engineer's Report, Confirm the Assessment Diagram and Assessment, and Order the Levy and Collection of Assessments for Fiscal Year 2013

RECOMMENDATION

That the City Council adopts the attached Resolution (Attachment I) approving the Engineer's Report, confirming the assessment diagram and assessment, and ordering levy and collection of assessments for Fiscal Year 2013 for Maintenance District No. 2.

BACKGROUND

The annual Engineer's Report (Report) for Maintenance District No. 2 (Attachment II) is presented to the City Council in compliance with Section 10-10.25 of the Hayward Municipal Code. The Report includes the recommended amount of assessments to be levied against each property for Fiscal Year 2013 and is consistent with the preliminary engineer's report presented to Council on April 24.

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 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

On April 24, 2012, the Council adopted Resolution No. 12-057, approving the Preliminary Engineer's Report, declaring the intention to levy assessments for Fiscal Year 2013, and setting June 12, 2012, as the public hearing date concerning the levy of assessments for Maintenance District No. 2 (MD-2).

The maximum base assessment rate that can be levied in Fiscal Year 2013 is \$787.39 per parcel. This maximum base assessment amount may be increased annually based upon the change in the Consumer Price Index. Given current economic conditions and the current capital reserve fund balance of approximately \$350,000, staff recommends the assessment amount for Fiscal Year 2013 remain the same as for Fiscal Year 2012, which is \$130 per parcel. Besides performing regular maintenance, staff anticipates that some of MD-2's pumps may need to be replaced in Fiscal Year 2013, due to their age. If necessary, approximately \$20,000 from the capital reserve funds would be used to pay for the replacement of any pumps.

Proposition 218 Compliance - The increase in the maximum base assessment rate that can be levied in Fiscal Year 2013 is in compliance with the provisions of Proposition 218, because the maximum assessment does not exceed the previously approved assessment formula. The proposed Fiscal Year 2013 assessment of \$130.00 is below the maximum base assessment of \$787.39. If in future years there is a need for additional funds, the collection rate may be increased up to the base maximum 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.

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 MD-2 fund account. Although the MD-2 capital reserve fund balance could be reduced by \$20,000 from \$356,000 to approximately \$336,000 at the end of Fiscal Year 2013 to pay for sump pump replacement, staff has evaluated this capital reserve fund balance and asserts that it would be adequate for Fiscal Year 2013. If necessary, the annual collection rate in Fiscal Year 2014 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 MD-2 facilities was \$1.38million (in 2003 dollars) and this construction cost was used to establish the desired capital reserve fund amount.

PUBLIC CONTACT

A Notice of Public Hearing for this hearing and a public meeting notice for a May 23, 2012 meeting were published once in *The Daily Review* newspaper and mailed to all affected property owners within MD-2. The public meeting was held on May 23, 2012, so that property owners would have the opportunity to ask questions regarding assessments and services, and staff would be available to explain MD-2 responsibilities and funding processes. One property owner in MD-2 attended that public meeting, but did not have comments or questions about MD-2. Property owners may also raise questions about assessments during the June 12 City Council public hearing. As of the writing of this report, no responses to such hearing notice have been received by staff.

NEXT STEPS

Once the City Council adopts the attached resolution, the final Assessor's roll will be prepared and filed with the County Auditor's office so that the assessments will be included in the Fiscal Year 2013 tax roll.

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
- Attachment II Engineer's Report

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-___

Introduced by Council Member _____

RESOLUTION APPROVING THE ENGINEER'S REPORT,
CONFIRMING THE ASSESSMENT DIAGRAM AND
ASSESSMENT, AND ORDERING LEVY AND COLLECTION
OF ASSESSMENTS FOR THE FISCAL YEAR 2013 FOR
MAINTENANCE DISTRICT NO. 2: EDEN SHORES WATER
BUFFER ZONE AND PRE-TREATMENT POND (MD NO. 2)

WHEREAS, by adopting Resolution No. 12-056 on April 24, 2012, this City Council approved the preliminary Engineer's Report and declared intention to levy assessments for Fiscal Year 2013 in accordance with the provisions of Section 10-10.25 of the Hayward Municipal Code; and

WHEREAS, a noticed public meeting was held on May 23, 2012, to provide information and allow affected property owners an opportunity to speak on the proposed levy of assessments and preliminary Engineer's Report, one property owner attended, and no comments were received; and

WHEREAS, June 12, 2012, at the hour of 7:00 p.m., in the regular meeting place of this Council, City Council Chambers, 777 B Street, 2nd Floor, Hayward, California, has been appointed as the time and place for a hearing by this City Council for approval of the Engineer's Report and levy of assessments; and

WHEREAS, at the appointed time and place said hearing was duly and regularly held, and all interested persons desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to said levy were fully heard and considered by this City Council.

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

1. The public interest, convenience, and necessity require that the levy be assessed;
2. The properties benefitted by the improvements and to be assessed in order to reimburse the costs and expenses thereof, and the exterior boundaries thereof are shown on the maintenance district diagram attached hereto as Exhibit "A" and included in the Engineer's Report;

3. Said Engineer's Report as a whole and each part thereof, to wit:
 - (a) the engineer's estimate of the itemized and total costs and expenses of the improvements and of the incidental expenses in connection therewith and the method of cost allocation and schedule of assessments;
 - (b) assessment roll, identifying the property within the district and setting the base monetary obligation of each property owner;
 - (c) the maintenance district diagram;
 - (d) the map of the maintenance district showing the boundaries and the respective lots within the district;

are finally approved and confirmed and incorporated herein.

4. Adoption of the Engineer's Report as a whole, estimate of the costs and expenses, the diagram, the assessment and the collection of fees, as contained in said report, as hereinabove determined and ordered, is intended to and shall refer and apply to said report, or any portion thereof, as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any, heretofore duly adopted by or made by this City Council.
5. The assessment in the amount of \$130.00 per lot to pay the costs and expenses of the maintenance of the improvements is hereby levied, and the remaining funds on deposit in the improvement fund are adequate to cover a portion of the assessments for the Fiscal Year 2013, and the City of Hayward Director of Finance is hereby directed to expend said money for the maintenance of the improvements set forth in this resolution and described in the Engineer's Report, and it is hereby determined to order the collection of \$130.00 per lot.
6. Based on the oral and documentary evidence offered and received, including the Engineer's Report, this City Council expressly finds and determines:
 - (a) that each of the lots in the district will be specially benefitted by the improvements at least in the amount, if not more than the amount, of the assessment apportioned against the lot;
 - (b) that there is substantial evidence to support this finding and determination as to special benefit;
 - (c) any public property owned by any public agency and in use in the performance of a public function with the district shall not be assessed.

7. Immediately upon the adoption of this resolution, but in no event later than the third Monday in August following such adoption, the City Clerk shall file a certified copy of this resolution, the diagram, and the assessment with the Auditor of the County of Alameda. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of assessment thereupon as shown in the assessment. The assessments shall be collected at the same time and in the same manner as county taxes are collected, and all laws providing for the collection and enforcement of county taxes shall apply to the collection and enforcement of the assessments. After collection by the County of Alameda, the net amount of the assessments, after deduction of any compensation due the county of collection, shall be paid to the Director of Finance of the City of Hayward.

8. Upon receipt of monies representing assessments collected by the County, the Director of Finance of the City of Hayward shall deposit the monies in the City treasury to the credit of an improvement fund, under the distinctive designation of said Maintenance District No. 2 - Eden Shores Water Buffer Zone and Pre-treatment Pond. Monies in said improvement fund shall be expended only for said maintenance of the improvements set forth in the Engineer's Report, referenced in this resolution.

IN COUNCIL, HAYWARD, CALIFORNIA, June _____, 2012

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

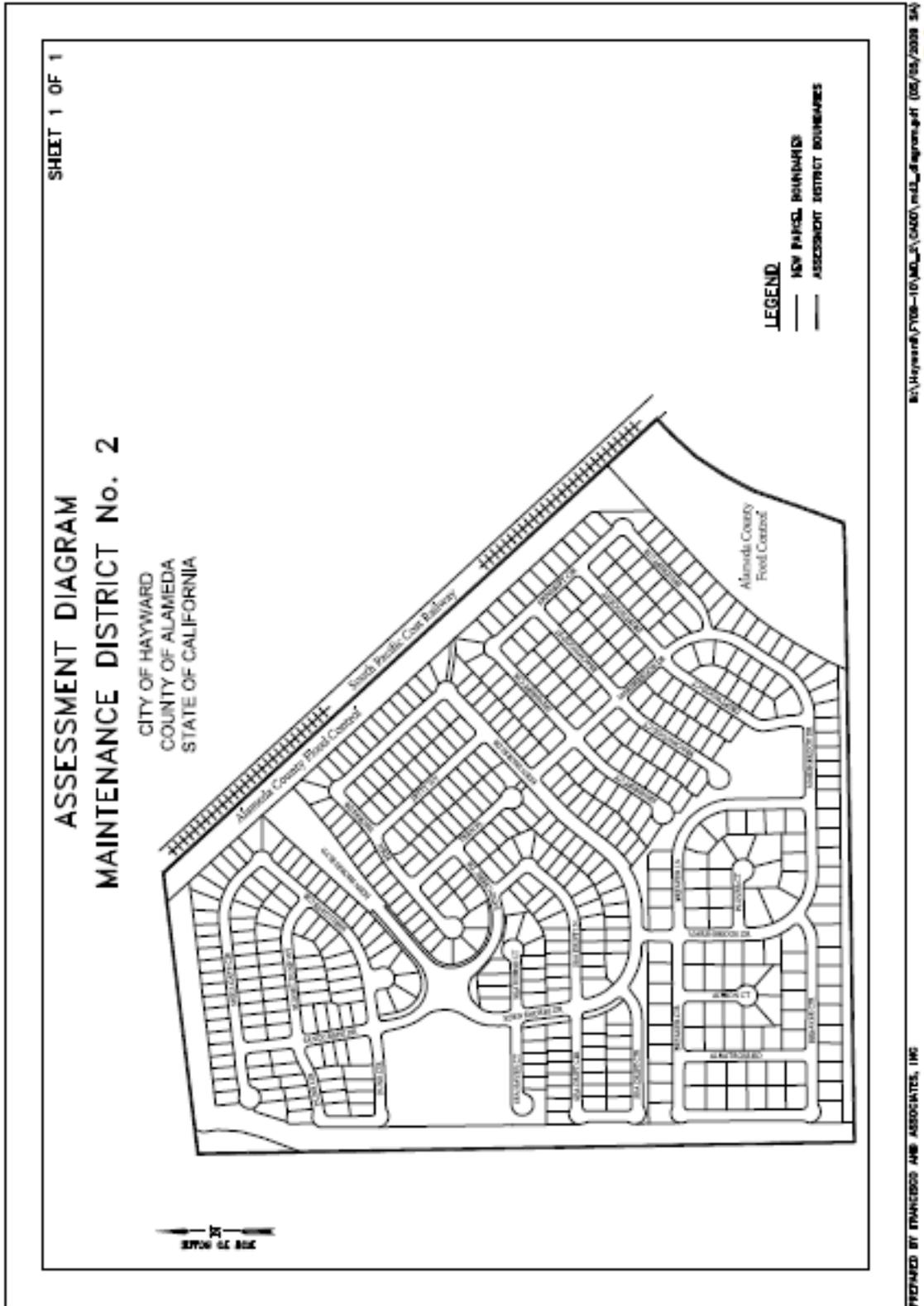
ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

EXHIBIT 'A'



FINAL ENGINEER'S REPORT

CITY OF HAYWARD
MAINTENANCE DISTRICT No. 2
(Eden Shores)

Fiscal Year 2013



June 12, 2012

	Page No.
Agency Directory	3
Certificates	4
Section I - Introduction	5
Section II - Report	7
Part A - Plans and Specifications	9
Part B - Estimate of Cost	10
Table I: Cost Estimate	11
Part C - Maintenance Assessment District Diagram	12
Part D - Method of Apportionment of Assessment	13
Part E - Property Owner List & Assessment Roll	14
 Appendix A - Vicinity Map	
 Appendix B - Assessment Diagram	
 Appendix C - Fiscal Year 2013 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

Morad Fakhrai, P.E.
Director of Public Works – Engineering and Transportation

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

ENGINEER'S REPORT

CITY OF HAYWARD
MAINTENANCE DISTRICT NO. 2
FISCAL YEAR 2013

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 _____, 2012.

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 _____, 2012.

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 _____, 2012.

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 2013

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 XIII C and XIII D 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 increased to \$130.00 per parcel to cover increased maintenance and utility costs. For Fiscal Year 2013, the collection rate is proposed to remain the same at \$130.00 per parcel. The collection rate needed to cover the FY 2013 operating expenses is approximately \$167.43 per parcel. However, the estimated operating costs for FY 2013 contain \$20,000 budgeted for pump replacement or any major repairs beyond normal operation activities. Therefore, approximately \$20,000 would be used from the capital reserves to supplement the assessment revenues for FY 2013, if necessary. The proposed FY 2013 assessment is below the maximum base assessment of \$787.39. 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 June 12, 2012, 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 2013 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 2013

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. 12-057, Preliminarily Approving the Engineer's Report, on April 24, 2012, 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 2013

The following improvements are proposed to be operated, maintained and serviced in Maintenance District No. 2 for Fiscal Year 2013:

- *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 increased to \$130.00 per parcel to cover increased maintenance and utility costs. For Fiscal Year 2013, the collection rate is proposed to remain the same at \$130.00 per parcel. The collection rate needed to cover the FY 2013 operating expenses is approximately \$167.43 per parcel. However, the estimated operating costs for FY 2013 contain \$20,000 budgeted for pump replacement or any major repairs beyond normal operation activities. Therefore, approximately \$20,000 would be used from the capital reserves to supplement the assessment revenues for FY 2013, if necessary. The proposed FY 2013 assessment is below the maximum base assessment of \$787.39. 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 December 2011. The December 2011 CPI was 231.109 which translates to a 20.21% (231.109/192.25) increase since the base year. Therefore, the revised base assessment that could be levied in Fiscal Year 2013 is \$787.39 per parcel, comparing to \$772.16 in Fiscal Year 2012. 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 2013 are summarized on the following page. These cost estimates have been provided by the City of Hayward.

TABLE I: COST ESTIMATE FISCAL YEAR 2013 Fund 818 - Maintenance District No. 2 - Eden Shores	
	Fiscal Year 2013 Budget
Number of Assessable Parcels	534
Beginning Balance of Fiscal Year (July 1, 2012) - Capital Reserves	<u>\$356,182.15</u>
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	<u>\$424,422.01</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$23,500.00
(b) Maintenance Work: Landscaping and buffer lake maintenance plus debris removal, weeding, trimming, spraying, and predator fence, steel structures, masonry wall surface maintenance	\$31,000.00
(c) Pump Replacements and/or major repairs	\$20,000.00
Subtotal I:	<u>\$74,500.00</u>
<u>II. Supplies & Services</u>	
(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:	<u>\$7,730.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$6,000.00
Subtotal III:	<u>\$6,000.00</u>
Total Expense (Sum of I, II and III)	<u>\$88,230.00</u>
Withdraw from Capital Reserves, if necessary, for I.(c)	<u>(\$19,990.14)</u>
Ending Balance of Fiscal Year (June 30, 2013) - Capital Reserves	<u>\$336,192.01</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six month of fiscal year (50% of Total Expense) ¹	\$44,115.00
Anticipated Capital Reserves at the end of Fiscal Year	\$336,192.01
Collection per Parcel	<u>\$130.00</u>
Base Assessment per Parcel	<u>\$772.16</u>
NOTES:	
<p>⁽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.</p> <p>Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

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 2013.

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 XIIIID, 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 XIII A of the California Constitution.

Article XIIIID 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 2013 assessment revenue is \$69,420.00. The collection rate for Fiscal Year 2013 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 2013 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 2013 is \$69,420.00.

The Assessment Roll for Fiscal Year 2013 is included on the following page of this Report and is on file in the Office of the Hayward City Clerk.

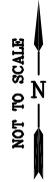
APPENDIX A
VICINITY MAP



APPENDIX B
ASSESSMENT DIAGRAM

ASSESSMENT DIAGRAM MAINTENANCE DISTRICT No. 2

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



LEGEND

-  NEW PARCEL BOUNDARIES
-  ASSESSMENT DISTRICT BOUNDARIES

APPENDIX C
Fiscal Year 2013
ASSESSMENT ROLL

FINAL ASSESSMENT ROLL
 FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
461-0037-002-00	\$130.00	461-0037-053-00	\$130.00	461-0037-104-00	\$130.00
461-0037-003-00	\$130.00	461-0037-054-00	\$130.00	461-0037-105-00	\$130.00
461-0037-004-00	\$130.00	461-0037-055-00	\$130.00	461-0037-106-00	\$130.00
461-0037-005-00	\$130.00	461-0037-056-00	\$130.00	461-0037-107-00	\$130.00
461-0037-006-00	\$130.00	461-0037-057-00	\$130.00	461-0037-108-00	\$130.00
461-0037-007-00	\$130.00	461-0037-058-00	\$130.00	461-0037-109-00	\$130.00
461-0037-008-00	\$130.00	461-0037-059-00	\$130.00	461-0037-110-00	\$130.00
461-0037-009-00	\$130.00	461-0037-060-00	\$130.00	461-0100-003-00	\$130.00
461-0037-010-00	\$130.00	461-0037-061-00	\$130.00	461-0100-004-00	\$130.00
461-0037-011-00	\$130.00	461-0037-062-00	\$130.00	461-0100-005-00	\$130.00
461-0037-012-00	\$130.00	461-0037-063-00	\$130.00	461-0100-006-00	\$130.00
461-0037-013-00	\$130.00	461-0037-064-00	\$130.00	461-0100-007-00	\$130.00
461-0037-014-00	\$130.00	461-0037-065-00	\$130.00	461-0100-008-00	\$130.00
461-0037-015-00	\$130.00	461-0037-066-00	\$130.00	461-0100-009-00	\$130.00
461-0037-016-00	\$130.00	461-0037-067-00	\$130.00	461-0100-010-00	\$130.00
461-0037-017-00	\$130.00	461-0037-068-00	\$130.00	461-0100-011-00	\$130.00
461-0037-018-00	\$130.00	461-0037-069-00	\$130.00	461-0100-012-00	\$130.00
461-0037-019-00	\$130.00	461-0037-070-00	\$130.00	461-0100-013-00	\$130.00
461-0037-020-00	\$130.00	461-0037-071-00	\$130.00	461-0100-014-00	\$130.00
461-0037-021-00	\$130.00	461-0037-072-00	\$130.00	461-0100-015-00	\$130.00
461-0037-022-00	\$130.00	461-0037-073-00	\$130.00	461-0100-016-00	\$130.00
461-0037-023-00	\$130.00	461-0037-074-00	\$130.00	461-0100-017-00	\$130.00
461-0037-024-00	\$130.00	461-0037-075-00	\$130.00	461-0100-018-00	\$130.00
461-0037-025-00	\$130.00	461-0037-076-00	\$130.00	461-0100-019-00	\$130.00
461-0037-026-00	\$130.00	461-0037-077-00	\$130.00	461-0100-020-00	\$130.00
461-0037-027-00	\$130.00	461-0037-078-00	\$130.00	461-0100-021-00	\$130.00
461-0037-028-00	\$130.00	461-0037-079-00	\$130.00	461-0100-022-00	\$130.00
461-0037-029-00	\$130.00	461-0037-080-00	\$130.00	461-0100-023-00	\$130.00
461-0037-030-00	\$130.00	461-0037-081-00	\$130.00	461-0100-024-00	\$130.00
461-0037-031-00	\$130.00	461-0037-082-00	\$130.00	461-0100-025-00	\$130.00
461-0037-032-00	\$130.00	461-0037-083-00	\$130.00	461-0100-026-00	\$130.00
461-0037-033-00	\$130.00	461-0037-084-00	\$130.00	461-0100-027-00	\$130.00
461-0037-034-00	\$130.00	461-0037-085-00	\$130.00	461-0100-028-00	\$130.00
461-0037-035-00	\$130.00	461-0037-086-00	\$130.00	461-0100-029-00	\$130.00
461-0037-036-00	\$130.00	461-0037-087-00	\$130.00	461-0100-030-00	\$130.00
461-0037-037-00	\$130.00	461-0037-088-00	\$130.00	461-0100-031-00	\$130.00
461-0037-038-00	\$130.00	461-0037-089-00	\$130.00	461-0100-032-00	\$130.00
461-0037-039-00	\$130.00	461-0037-090-00	\$130.00	461-0100-033-00	\$130.00
461-0037-040-00	\$130.00	461-0037-091-00	\$130.00	461-0100-034-00	\$130.00
461-0037-041-00	\$130.00	461-0037-092-00	\$130.00	461-0100-035-00	\$130.00
461-0037-042-00	\$130.00	461-0037-093-00	\$130.00	461-0100-036-00	\$130.00
461-0037-043-00	\$130.00	461-0037-094-00	\$130.00	461-0100-037-00	\$130.00
461-0037-044-00	\$130.00	461-0037-095-00	\$130.00	461-0100-038-00	\$130.00
461-0037-045-00	\$130.00	461-0037-096-00	\$130.00	461-0100-039-00	\$130.00
461-0037-046-00	\$130.00	461-0037-097-00	\$130.00	461-0100-040-00	\$130.00
461-0037-047-00	\$130.00	461-0037-098-00	\$130.00	461-0100-041-00	\$130.00
461-0037-048-00	\$130.00	461-0037-099-00	\$130.00	461-0100-042-00	\$130.00
461-0037-049-00	\$130.00	461-0037-100-00	\$130.00	461-0100-043-00	\$130.00
461-0037-050-00	\$130.00	461-0037-101-00	\$130.00	461-0100-044-00	\$130.00
461-0037-051-00	\$130.00	461-0037-102-00	\$130.00	461-0100-045-00	\$130.00

FINAL ASSESSMENT ROLL
 FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
461-0100-047-00	\$130.00	461-0100-098-00	\$130.00	461-0101-035-00	\$130.00
461-0100-048-00	\$130.00	461-0100-099-00	\$130.00	461-0101-036-00	\$130.00
461-0100-049-00	\$130.00	461-0100-100-00	\$130.00	461-0101-037-00	\$130.00
461-0100-050-00	\$130.00	461-0100-101-00	\$130.00	461-0101-038-00	\$130.00
461-0100-051-00	\$130.00	461-0100-102-00	\$130.00	461-0101-039-00	\$130.00
461-0100-052-00	\$130.00	461-0100-103-00	\$130.00	461-0101-040-00	\$130.00
461-0100-053-00	\$130.00	461-0100-104-00	\$130.00	461-0101-041-00	\$130.00
461-0100-054-00	\$130.00	461-0100-105-00	\$130.00	461-0101-042-00	\$130.00
461-0100-055-00	\$130.00	461-0100-106-00	\$130.00	461-0101-043-00	\$130.00
461-0100-056-00	\$130.00	461-0100-107-00	\$130.00	461-0101-044-00	\$130.00
461-0100-057-00	\$130.00	461-0100-108-00	\$130.00	461-0101-045-00	\$130.00
461-0100-058-00	\$130.00	461-0100-109-00	\$130.00	461-0101-046-00	\$130.00
461-0100-059-00	\$130.00	461-0100-110-00	\$130.00	461-0101-047-00	\$130.00
461-0100-060-00	\$130.00	461-0100-111-00	\$130.00	461-0101-048-00	\$130.00
461-0100-061-00	\$130.00	461-0100-112-00	\$130.00	461-0101-049-00	\$130.00
461-0100-062-00	\$130.00	461-0100-113-00	\$130.00	461-0101-050-00	\$130.00
461-0100-063-00	\$130.00	461-0100-114-00	\$130.00	461-0101-051-00	\$130.00
461-0100-064-00	\$130.00	461-0100-115-00	\$130.00	461-0101-052-00	\$130.00
461-0100-065-00	\$130.00	461-0100-116-00	\$130.00	461-0101-053-00	\$130.00
461-0100-066-00	\$130.00	461-0100-117-00	\$130.00	461-0101-054-00	\$130.00
461-0100-067-00	\$130.00	461-0100-118-00	\$130.00	461-0101-055-00	\$130.00
461-0100-068-00	\$130.00	461-0101-005-00	\$130.00	461-0101-056-00	\$130.00
461-0100-069-00	\$130.00	461-0101-006-00	\$130.00	461-0101-057-00	\$130.00
461-0100-070-00	\$130.00	461-0101-007-00	\$130.00	461-0101-058-00	\$130.00
461-0100-071-00	\$130.00	461-0101-008-00	\$130.00	461-0101-059-00	\$130.00
461-0100-072-00	\$130.00	461-0101-009-00	\$130.00	461-0101-060-00	\$130.00
461-0100-073-00	\$130.00	461-0101-010-00	\$130.00	461-0101-061-00	\$130.00
461-0100-074-00	\$130.00	461-0101-011-00	\$130.00	461-0101-062-00	\$130.00
461-0100-075-00	\$130.00	461-0101-012-00	\$130.00	461-0101-063-00	\$130.00
461-0100-076-00	\$130.00	461-0101-013-00	\$130.00	461-0101-064-00	\$130.00
461-0100-077-00	\$130.00	461-0101-014-00	\$130.00	461-0101-065-00	\$130.00
461-0100-078-00	\$130.00	461-0101-015-00	\$130.00	461-0101-066-00	\$130.00
461-0100-079-00	\$130.00	461-0101-016-00	\$130.00	461-0101-067-00	\$130.00
461-0100-080-00	\$130.00	461-0101-017-00	\$130.00	461-0101-068-00	\$130.00
461-0100-081-00	\$130.00	461-0101-018-00	\$130.00	461-0101-069-00	\$130.00
461-0100-082-00	\$130.00	461-0101-019-00	\$130.00	461-0101-070-00	\$130.00
461-0100-083-00	\$130.00	461-0101-020-00	\$130.00	461-0101-071-00	\$130.00
461-0100-084-00	\$130.00	461-0101-021-00	\$130.00	461-0101-072-00	\$130.00
461-0100-085-00	\$130.00	461-0101-022-00	\$130.00	461-0101-073-00	\$130.00
461-0100-086-00	\$130.00	461-0101-023-00	\$130.00	461-0101-074-00	\$130.00
461-0100-087-00	\$130.00	461-0101-024-00	\$130.00	461-0101-075-00	\$130.00
461-0100-088-00	\$130.00	461-0101-025-00	\$130.00	461-0101-076-00	\$130.00
461-0100-089-00	\$130.00	461-0101-026-00	\$130.00	461-0101-077-00	\$130.00
461-0100-090-00	\$130.00	461-0101-027-00	\$130.00	461-0101-078-00	\$130.00
461-0100-091-00	\$130.00	461-0101-028-00	\$130.00	461-0101-079-00	\$130.00
461-0100-092-00	\$130.00	461-0101-029-00	\$130.00	461-0101-080-00	\$130.00
461-0100-093-00	\$130.00	461-0101-030-00	\$130.00	461-0101-081-00	\$130.00
461-0100-094-00	\$130.00	461-0101-031-00	\$130.00	461-0101-082-00	\$130.00
461-0100-095-00	\$130.00	461-0101-032-00	\$130.00	461-0101-083-00	\$130.00
461-0100-096-00	\$130.00	461-0101-033-00	\$130.00	461-0101-084-00	\$130.00

FINAL ASSESSMENT ROLL
 FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
461-0101-086-00	\$130.00	461-0101-137-00	\$130.00	461-0102-018-00	\$130.00
461-0101-087-00	\$130.00	461-0101-138-00	\$130.00	461-0102-019-00	\$130.00
461-0101-088-00	\$130.00	461-0101-139-00	\$130.00	461-0102-020-00	\$130.00
461-0101-089-00	\$130.00	461-0101-140-00	\$130.00	461-0102-021-00	\$130.00
461-0101-090-00	\$130.00	461-0101-141-00	\$130.00	461-0102-022-00	\$130.00
461-0101-091-00	\$130.00	461-0101-142-00	\$130.00	461-0102-023-00	\$130.00
461-0101-092-00	\$130.00	461-0101-143-00	\$130.00	461-0102-024-00	\$130.00
461-0101-093-00	\$130.00	461-0101-144-00	\$130.00	461-0102-025-00	\$130.00
461-0101-094-00	\$130.00	461-0101-145-00	\$130.00	461-0102-026-00	\$130.00
461-0101-095-00	\$130.00	461-0101-146-00	\$130.00	461-0102-027-00	\$130.00
461-0101-096-00	\$130.00	461-0101-147-00	\$130.00	461-0102-028-00	\$130.00
461-0101-097-00	\$130.00	461-0101-148-00	\$130.00	461-0102-029-00	\$130.00
461-0101-098-00	\$130.00	461-0101-149-00	\$130.00	461-0102-030-00	\$130.00
461-0101-099-00	\$130.00	461-0101-150-00	\$130.00	461-0102-031-00	\$130.00
461-0101-100-00	\$130.00	461-0101-151-00	\$130.00	461-0102-032-00	\$130.00
461-0101-101-00	\$130.00	461-0101-152-00	\$130.00	461-0102-033-00	\$130.00
461-0101-102-00	\$130.00	461-0101-153-00	\$130.00	461-0102-034-00	\$130.00
461-0101-103-00	\$130.00	461-0101-154-00	\$130.00	461-0102-035-00	\$130.00
461-0101-104-00	\$130.00	461-0101-155-00	\$130.00	461-0102-036-00	\$130.00
461-0101-105-00	\$130.00	461-0101-156-00	\$130.00	461-0102-037-00	\$130.00
461-0101-106-00	\$130.00	461-0101-157-00	\$130.00	461-0102-038-00	\$130.00
461-0101-107-00	\$130.00	461-0101-158-00	\$130.00	461-0102-039-00	\$130.00
461-0101-108-00	\$130.00	461-0101-159-00	\$130.00	461-0102-040-00	\$130.00
461-0101-109-00	\$130.00	461-0101-160-00	\$130.00	461-0102-041-00	\$130.00
461-0101-110-00	\$130.00	461-0101-161-00	\$130.00	461-0102-042-00	\$130.00
461-0101-111-00	\$130.00	461-0101-162-00	\$130.00	461-0102-043-00	\$130.00
461-0101-112-00	\$130.00	461-0101-163-00	\$130.00	461-0102-044-00	\$130.00
461-0101-113-00	\$130.00	461-0101-164-00	\$130.00	461-0102-045-00	\$130.00
461-0101-114-00	\$130.00	461-0101-165-00	\$130.00	461-0102-046-00	\$130.00
461-0101-115-00	\$130.00	461-0101-166-00	\$130.00	461-0102-047-00	\$130.00
461-0101-116-00	\$130.00	461-0101-167-00	\$130.00	461-0102-048-00	\$130.00
461-0101-117-00	\$130.00	461-0101-168-00	\$130.00	461-0102-049-00	\$130.00
461-0101-118-00	\$130.00	461-0101-169-00	\$130.00	461-0102-050-00	\$130.00
461-0101-119-00	\$130.00	461-0101-170-00	\$130.00	461-0102-051-00	\$130.00
461-0101-120-00	\$130.00	461-0101-171-00	\$130.00	461-0102-052-00	\$130.00
461-0101-121-00	\$130.00	461-0102-002-00	\$130.00	461-0102-053-00	\$130.00
461-0101-122-00	\$130.00	461-0102-003-00	\$130.00	461-0102-054-00	\$130.00
461-0101-123-00	\$130.00	461-0102-004-00	\$130.00	461-0102-055-00	\$130.00
461-0101-124-00	\$130.00	461-0102-005-00	\$130.00	461-0102-056-00	\$130.00
461-0101-125-00	\$130.00	461-0102-006-00	\$130.00	461-0102-057-00	\$130.00
461-0101-126-00	\$130.00	461-0102-007-00	\$130.00	461-0102-058-00	\$130.00
461-0101-127-00	\$130.00	461-0102-008-00	\$130.00	461-0102-059-00	\$130.00
461-0101-128-00	\$130.00	461-0102-009-00	\$130.00	461-0102-060-00	\$130.00
461-0101-129-00	\$130.00	461-0102-010-00	\$130.00	461-0102-061-00	\$130.00
461-0101-130-00	\$130.00	461-0102-011-00	\$130.00	461-0102-062-00	\$130.00
461-0101-131-00	\$130.00	461-0102-012-00	\$130.00	461-0102-063-00	\$130.00
461-0101-132-00	\$130.00	461-0102-013-00	\$130.00	461-0102-064-00	\$130.00
461-0101-133-00	\$130.00	461-0102-014-00	\$130.00	461-0102-065-00	\$130.00
461-0101-134-00	\$130.00	461-0102-015-00	\$130.00	461-0103-004-00	\$130.00
461-0101-135-00	\$130.00	461-0102-016-00	\$130.00	461-0103-005-00	\$130.00

FINAL ASSESSMENT ROLL
 FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount
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
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
461-0103-039-00	\$130.00
461-0103-040-00	\$130.00
461-0103-041-00	\$130.00
461-0103-042-00	\$130.00
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

Assessor's Parcel Number	Assessment Amount
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
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
<hr/>	
Total Parcels:	534
Total Assessment:	\$69,420.00

DATE: June 12, 2012

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13 – Approving the Engineer’s Report, Confirming the Assessment Diagrams and Assessments, and Ordering the Levy and Collection of Assessments for Fiscal Year 2013

RECOMMENDATION

That the City Council adopts the attached Resolution approving the Engineer’s Report, confirming the assessment diagrams and assessments, and ordering levy and collection of assessments for Fiscal Year 2013, Consolidated Landscaping and Lighting District No. 96-1, Zones 1-13, as described herein.

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 2013.

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. Increases in base maximum assessments in benefit Zones 3 and 7 through 13, and increases in annual collection rates in benefit Zone 12 are in compliance with the provisions of Proposition 218 because assessments do not exceed the established assessment formula when these benefit zones were formed, or amended.

BACKGROUND

The annual updated Engineer’s Report (Report) is prepared and presented to the City Council pursuant to the provisions of Article XIID, Section 4 of the California Constitution, provisions of the Landscaping and Lighting Act of 1972, Section 22500 *et seq.* of the California Streets and Highways Code, and Proposition 218. The Landscaping and Lighting Act of 1972 (Streets and Highways §22500) is a flexible tool used by local government agencies to form Landscaping and Lighting Districts for the purpose of financing the costs and expenses of landscaping and lighting

public areas in private developments. As a form of benefit assessment, it is based on the concept of assessing only those properties that benefit from improvements financed, either directly or indirectly through increased property values. Because it is considered a benefit assessment, the 1972 Act assessment is not subject to Proposition 13 limitations.

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 maximum assessment rates established when the districts were originally formed, plus a CPI adjustment, where allowed by the district provisions.

In 1996, six separate Landscape 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. The zones are distinct geographic areas formed at different times, and do not receive the same services or benefits. Except for Zone 6, all benefit zones within the district are residential in nature. Each zone has a separate budget pertaining to its respective maintained improvements, but the administrative costs for the preparation of the Engineer’s Report, Council Reports, Resolutions, etc., are shared proportionately among the zones.

Table 1 below 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 (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

The City administers Capital Reserve funds (described as Total Reserves in the Preliminary Engineer's Report) for all benefit zones except Zone 12. These funds can be used in the event capital facilities or improvements need major repair or replacement due to failure, damage or vandalism. For Zone 12, an agreement between the City and the Hayward Area Recreation and Park District (HARD) allows HARD to maintain the Eden Shores Park within this zone. The collected assessment for Zone 12 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

On April 24, 2012, the Council adopted Resolution No. 12-055, approving the Preliminary Engineer's Report, declaring intention to levy assessments for Fiscal Year 2013, and setting June 12, 2012, as the public hearing date concerning District Zones 1-13. Following is discussion related to issues/changes for District zones.

Zone 3 – Prominence Residential: For FY2013, the Prominence Landscape Committee (PLC) wanted to continue the Calsense Sprinkler Upgrade Project, which is a water conservation project, at an estimated cost of \$52,000. This was a request involving two system upgrades, one more than had been previously discussed and approved since 2011. This upgrade project is intended to cut back on water usage and reduce the costs for annual maintenance.

Staff initially recommended in the preliminary Engineer's Report presented to the Council in April another \$26,000 for the Calsense system improvements for FY2013, consistent with recent past practice. Such approach would allow the PLC and City staff to be able to determine with more certainty whether the intended benefits (water conservation and associated lower bills) are gained with installation of the improvements. However, since that earlier recommendation and preliminary Engineer's Report, staff has been continuing to work with the PLC to resolve other issues concerning the proposed budget and capital reserve balance.

At a meeting on May 15 with three members of the PLC, staff explained items in the budget table, information staff used to estimate upcoming costs of each item, the process for preparing a budget for the upcoming fiscal year, and how a capital reserve is used throughout the fiscal year. For simplicity, staff concluded that a minimum capital reserve balance at the end of FY2013 should be approximately \$90,000 and that minimum reserve balance should be escalated by CPI each year after FY2013 due to inflation.

The PLC agreed with the minimum capital reserve balance of \$90,000, and submitted a revised recommended budget, including the \$52,000 expenditure item for system upgrades in the Calsense system, and asking for an additional \$34,000 to cover costs for improvements along Fox Hollow and along Hayward Boulevard above the V-Ditch. Staff supports such recommendation. Attachment III provides a comparison of the revised budget (as reflected in the attached revised Engineer's Report and as now supported by the PLC) and the originally proposed budget in January of 2012 from the PLC.

Zone 10 – Eden Shores Residential: The assessment amount for FY2013 is recommended to remain the same as FY2012, which is \$300 per parcel. The Eden Shores Homeowners Association (HOA) has a landscape maintenance contract with the City, which allows the HOA to perform maintenance work related to Zone 10, and then to 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 FY2013.

Zone 11 – Stonebrae Development: The assessment amount for FY2013 is recommended to remain the same as FY2012, which is \$344.92 per parcel for approximately 220 developed parcels and 57 parcels that will have building permit applications in the upcoming fiscal year, and \$180.18 per parcel for the future development phase parcels, which consists of the remaining 277 parcels shown on the tentative tract map for the project. 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. Staff supports such recommendation.

Proposed Changes in Other Zones: The attached Engineer's Report includes separate budgets for each benefit zone. Only the consultant and administrative costs for the preparation of the updated Engineer's Report, Council Reports, Resolutions, etc., are shared proportionately among the benefit zones. The FY2013 assessments in the attached Engineer's Report that will be assessed on the FY2013 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 total reserve 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 benefit zone has different funding levels and reserves, and the City adjusts its maintenance efforts accordingly. Zone 2 has minimal maintenance expenses and an adequate reserve to meet these expenses currently. For Zones 4 and 5, the City has reduced the levels of maintenance to coincide with projected revenue. The maximum base assessment amounts for Zones 3 and 7 through 13 can only be adjusted annually using the Consumer Price Index, per the provisions of those benefit zones.

Proposition 218 Compliance - The proposed increases in the base maximum assessment rates for benefit Zones 3 and 7 through 13 for FY2013 are in compliance with the provisions of Proposition 218, because the base maximum assessment rates do not exceed the previous established assessment formula when these benefit zones were formed, or amended. The collection rates for Zones 3 and 12 are proposed to increase for FY2013. Any future increases in the collection rate up to the base maximum assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Table 2 on the next page lists the collection rates in FY2012, the proposed collection rates recommended to be levied for FY2013, and the base maximum assessment rates for each zone.

TABLE 2: ASSESSMENT RATES PER BENEFIT ZONE					
Zone Number	Name/Location	FISCAL YEAR Collected Amount	FISCAL YEAR 2013 Recommend Amount	Base Maximum Assessment Amount	CPI Index Adjustmen
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.	\$767.08	\$782.20	\$782.20	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	\$818.15	Yes
8	Capitola St.	\$350.00	\$350.00	\$585.14	Yes
9	Orchard Ave.	\$25.00	\$25.00	\$156.24	Yes
10	Eden Shores	\$300.00	\$300.00	\$931.65	Yes
11	Stonebrae Country Club (Current)	\$344.92	\$344.92	\$1,321.40	Yes
11	Stonebrae Country Club (Future)	\$180.18	\$180.18	\$1,321.40	Yes
12 ⁽²⁾	Eden Shores East - Sports Park	\$171.70	\$175.08	\$175.08	Yes
13	Cannery Place (Current Development)	\$150.00	\$150.00	\$993.64	Yes
13	Cannery Place (Future Development)	\$0.00	\$0.00	\$993.64	Yes
<p>⁽¹⁾ Zone 6 is in the industrial district and is assessed based upon street frontage. ⁽²⁾ Bolded italic items reflect recommended collection rates at maximum base assessment</p>					

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

PUBLIC CONTACT

A Notice of Public Hearing for this hearing and a public meeting notice for a May 23, 2012 meeting were published once in *The Daily Review* newspaper on May 12 and mailed to all affected property owners within the District on May 11. Staff received a few phone calls from residents of various zones as follows:

- a. Zone 2: One property owner called to inform staff that he received a notice via the mail but that he no longer owns the property in the zone.

- b. Zone 3: Two callers inquired about the proposed assessment amount, the installation of the CalSense system, maintenance and other improvements. One caller wanted to know whether the collection rate can be lower. Staff indicated it could not given the recommended improvements for FY2013.
- c. Zone 10: Two callers commented on the assessment amount, and thanked the City for keeping the same assessment amount as last year, which would help property owners, given current economic conditions.
- d. Zone 13: Two callers asked about the LLD formation and wanted to know when parks in the Cannery Development would be installed. Staff responded by indicating work with the Cannery developers is continuing in order to get the parks installed.

A public meeting was held on May 23, 2012 so that property owners would have the opportunity to ask questions regarding assessments and services, and staff would be available to explain District responsibilities and funding processes. Four property owners attended the public meeting. One property owner in Zone 10 and two property owners in Zone 13 indicated that they were new property owners, and had no comments or questions about LLD.

Mr. Turner, a member of the Prominence Landscape Committee (PLC) from Zone 3, came to review the proposed budget, the assessment rate, and concurred with staff recommendations regarding the proposed budget, the assessment rate, and the minimum capital reserves. He also stated that although he was unsure whether the minimum capital reserve balance of \$90,000 is a correct amount, he understood the reason for using the CPI to increase the minimum capital reserves in future years for off-setting inflation. He also liked the suggestion that a study be conducted to establish capital reserve funds so that both the City and the PLC would be able to establish an appropriate capital reserve balance. Such study is estimated to cost between \$5,000 to \$10,000, which would be borne by LLD Zone 3.

The property owners may also raise questions about assessments during the June 12 hearing.

NEXT STEPS

Once the City Council adopts the attached Resolution, the final Assessor's roll will be prepared and filed with the County Auditor's office so that assessments will be included on the Fiscal Year 2013 tax roll.

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 Resolution Approving Engineer's Report

Attachment II Engineer's Report

Attachment III Zone 3 Budget Comparison

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION APPROVING THE ENGINEER'S REPORT,
CONFIRMING THE ASSESSMENT DIAGRAMS AND
ASSESSMENTS, AND ORDERING LEVY AND COLLECTION OF
ASSESSMENTS FOR FISCAL YEAR 2013 OF THE LANDSCAPING
AND LIGHTING DISTRICT NO. 96-1, ZONES 1-13

WHEREAS, by its Resolution No.12-055, a resolution declaring intention to order levy and collection of assessments, this City Council designated John Nguyen as Engineer of Work and ordered said Engineer of Work to make and file a report in accordance with and pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, a public meeting was held on May 23, 2012, to provide information and allow affected owners an opportunity to speak and no comments were received; and

WHEREAS, said report was duly made and filed, and duly considered by this City Council and found to be sufficient in every particular, whereupon it was determined that said report should stand as the Engineer's Report for all subsequent proceedings under and pursuant to the aforesaid resolution, and that June 12, 2012, at the hour of 7:00 p.m., in the regular meeting place of this Council, City Council Chambers, 777 B Street, 2nd Floor, Hayward, California, was appointed as the time and place for a hearing before this City Council on the question of the levy of the proposed assessments, notice of which proceedings was duly published; and

WHEREAS, notice of the proposed assessment and City Council Hearing was published once in The Daily Review newspaper and mailed to each property owner or record owner of each parcel in Zones 1-13, was scheduled at the appointed time and place of said hearing; and

WHEREAS, this City Council thereby confirmed the diagram and assessment for Zones 1-13, prepared by and made a part of the report of said engineer to pay the costs and expenses thereof, and acquired the ability to order said levy for Zones 1-13.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that:

1. The proposed assessments for Zones 1, 2, 4, 5, 6, 7, 8, 9, 10, 11 and 13 are equal to the previous year's assessments.
2. The proposed assessments for Zones 3 and 12 have been increased to the base maximum assessment amount for each zone.

3. The increases in base maximum assessments in benefit zones 3 and 7 thru 13, and increases in annual collection rates in benefit zones 3, and 12, are in compliance with the provisions of Proposition 218 because assessments do not exceed the established assessment formula when these benefit zones were formed, or amended.

4. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Council expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefitted by the maintenance of the improvements at least in the amount, if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.

5. The public interest, convenience and necessity require that a levy on each lot in Zones 1-13, the exterior boundaries of which are shown by a map thereof filed in the office of the City Clerk and made a part hereof by reference, which is benefitted by the proposed base maximum assessment, be made as follows:

Zone 1	\$ 265.64
Zone 2	\$ 93.08
Zone 3	\$ 782.20
Zone 4	\$ 121.00
Zone 5	\$ 139.12
Zone 6	\$ 2.61
Zone 7	\$ 818.15
Zone 8	\$ 585.14
Zone 9	\$ 156.24
Zone 10	\$ 931.65
Zone 11	\$ 1321.40 (Current Development)
Zone 11	\$ 1321.40 (Future Development)
Zone 12	\$ 175.08
Zone 13	\$ 993.64 (Current Development)
Zone 13	\$ 993.64 (Future Development)

7. Said Engineer's Report, as a whole and each part thereof, is hereby approved, confirmed and incorporated herein, including, but not limited, to the following:

(a) The Engineer's estimate of the itemized and total costs and expenses of maintaining said improvements, and of the incidental expenses in connection therewith; and

(b) The diagram showing the zones of the assessment district, plans and specifications for the improvements to be maintained and the boundaries and dimensions of the respective lots and parcels of land within the District; and

(c) The assessment of the total amount of the cost and expenses of the proposed maintenance of said improvements upon the lots in said zone of the district be made in proportion to the estimated benefits to be received by such lot, respectively, from said maintenance and of the expenses incidental thereto, is approved and confirmed and incorporated herein.

8. Adoption of the Engineer's Report as a whole, estimate of the costs and expenses, the diagram and the assessments, as contained in said report, as hereinabove determined and ordered, is intended to and shall refer and apply to said report, or any portion thereof, as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any, heretofore duly adopted or made by this City Council.

9. The assessments to pay the costs and expenses of the maintenance of said improvements in Zones 1-13 for Fiscal Year 2013 are hereby levied. The following amounts are hereby ordered to be collected for Fiscal Year 2013:

Zone 1	\$ 230.00
Zone 2	\$ 93.08
Zone 3	\$ 782.20
Zone 4	\$ 121.00
Zone 5	\$ 139.12
Zone 6	\$ 2.00
Zone 7	\$ 480.00
Zone 8	\$ 350.00
Zone 9	\$ 25.00
Zone 10	\$ 300.00
Zone 11	\$ 344.92 (Current Development)
Zone 11	\$ 180.18 (Future Development)
Zone 12	\$ 175.08
Zone 13	\$ 150.00 (Current Development)

10. Immediately upon the adoption of this resolution, but in no event later than the third Monday in August following such adoption, the City Clerk shall file a certified copy of this resolution, the diagram, and the assessments with the Auditor of the County of Alameda. Upon such filing, the County Auditor shall enter on the county assessment roll opposite each lot or parcel of land the amount of assessment thereupon as shown in the assessment. The assessments shall be collected at the same time and in the same manner as county taxes are collected, and all laws providing for the collection and enforcement of county taxes shall apply to the collection and enforcement of the assessments. After collection by the County of Alameda, the net amount of the assessments, after deduction of any compensation due the county of collection, shall be paid to the Director of Finance of the City of Hayward.

FINAL ENGINEER'S REPORT

CITY OF HAYWARD

CONSOLIDATED LANDSCAPING &
LIGHTING ASSESSMENT DISTRICT No. 96-1

Fiscal Year 2013



June 12, 2012

	Page No.
Agency Directory	3
Certificates	4
SECTION I Introduction	5
Table 1: Description of Existing Benefit Zones	5
Table 2: Assessment Rates per Benefit Zone	9
SECTION II Engineer's Report	10
Part A - Plans and Specifications	12
Part B - Estimate of Cost	24
Table 3: Fiscal Year 2013 Revenue by Benefit Zone	24
Part C - Assessment District Diagram	25
Part D - Method of Apportionment of Assessment	26
Part E - Property Owner List & Assessment Roll	32
 Appendix A - Detailed Project Cost Breakdown	
 Appendix B - Vicinity Map	
 Appendix C - Assessment Diagram	
 Appendix D - Fiscal Year 2013 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

Morad Fakhrai, P.E.
Director of Public Works – Engineering and Transportation

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 2013

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 XIIIID, 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 _____, 2012.

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 _____, 2012.

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 _____, 2012.

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 2013

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 I: DESCRIPTION OF EXISTING BENEFIT ZONES

Zone Number	Name/Location	Year Formed	Type of Development	Number of Assessable 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	<u>629</u>
Total				2,920

Benefit Zone No. 1 collection rate will be \$230.00 per parcel, which is the same rate as in FY 2012. In FY 2013 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 for this zone is below their base maximum assessment rate of \$265.64 per parcel and is sufficient for maintaining level of services 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 2012. The collection rate for this zone is at their base maximum assessment rate of \$93.08 per parcel and is sufficient for maintaining level of services 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 without escalation clause allowing for an annual increase based upon the prior year's change in the Consumer Price Index to account for on-going increase annual operation costs. 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 \$767.08 to \$782.20 per parcel for FY 2013, which is at the base maximum assessment rate. In FY 2013 the Landscape Committee wanted to continue the Calsense Sprinkler Upgrade Project, which is a water conservation project, at an estimated cost of \$52,000. This project is intended to cut back on water usage and reduce the costs for annual maintenance. In addition, the Landscape Committee asked that an additional \$34,000 be budgeted to cover Bunch grass removal/replanting and sprinkler repair at Fox Hollow and landscape improvements along Hayward Boulevard above the V-Ditch, such as clean up, enhanced irrigation and planting. The collection rate for this zone is at its base maximum assessment rate of \$782.20 per parcel and is sufficient for maintaining levels of service and providing a minimum operating and capital reserve balance, which is anticipated to be approximately \$91,000 at the end of FY 2013.

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 has reduced the level of services 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 a majority of the property owners who voted. Subsequently, the City has reduced the level of services 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 of property frontages, which is the same rate as in FY 2012. In FY 2013 the City plans to install landscaping in the median areas at an estimated cost of \$1,900. The collection rate for this zone is below their base maximum assessment rate of \$2.61 per linear foot and is sufficient for maintaining level of services 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 2012. The collection rate for this zone is below their base maximum assessment rate of \$818.15 per parcel and is sufficient for maintaining level of services and keeping a healthy operating and capital reserve balance. 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. 8 collection rate will be \$350.00 per parcel, which is the same rate as in FY 2012. The collection rate for this zone is below the maximum base assessment of \$585.15 per parcel and is sufficient for maintaining level of services and keeping a sufficient operating and capital reserve balance. In future years, if there is a need for additional funds, the collection rate may be increased up to their base maximum amount. 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. 9 collection rate will be \$25.00 per parcel, which is the same rate as in FY 2012. The collection rate for this zone is below the maximum base assessment of \$156.24 per parcel and is sufficient for maintaining level of services and keeping a sufficient operating and capital reserve balance. 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 2012. The collection rate for this zone is below the maximum base assessment of \$931.65 per parcel and is sufficient for maintaining level of services and keeping a sufficient operating and capital reserve balance. 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 279 parcels in the current development phase will be \$344.92 per parcel which is the same rate as in FY 2013. The collection rate for the remaining 277 parcels that will be developed in subsequent phases will be \$180.18 per parcel which is the same rate as in FY 2013. The collection rate for this zone is below the maximum base assessment of \$1,321.40 per parcel and is sufficient for maintaining level of services and keeping a sufficient operating and capital reserve balance. 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. 12 collection rate will be increased from \$171.70 to \$175.08 per parcel for FY2013, 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. The Zone 12 capital reserve fund is administered by HARD.

Benefit Zone No. 13 collection rate for the 436 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 2012. The collection rate for the remaining 193 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 2012. The collection rate for this zone is below their base maximum assessment rate of \$993.64 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 XIII C and XIII D 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. The FY 2013 assessments proposed within the Engineer's Report are equal to or less than the base maximum authorized assessment; therefore, the vote requirements of Section 4 of Article XIII D do not apply to these proceedings.

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 2012 was 226.638 (February 2011). The most current available CPI index available at the time of preparing this report was December 2011 (231.109), which translates to a 1.97% (231.109/226.638) increase from Fiscal Year 2012. Therefore, the revised base assessments that could be levied in Fiscal Year 2013 are equal to the base maximum assessment in Fiscal Year 2012 increased by 1.97%. 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 assessment amount, and the annual collection rates for benefit zones 2, 3, 4, 5, and 12 are proposed to be levied at their base maximum assessment amount.

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

Table 2 below lists the collection rates levied in FY 2012, the proposed collection rates for FY 2013 and the base maximum assessment rates for each benefit zone.

Zone Number	Name/Location	Fiscal Year 2012 Collection Amount	Fiscal Year 2013 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	\$782.20	\$782.20	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	\$818.15	Yes
8	Capitola St.	\$350.00	\$350.00	\$585.15	Yes
9	Orchard Ave.	\$25.00	\$25.00	\$156.24	Yes
10	Eden Shores	\$300.00	\$300.00	\$931.65	Yes
11	Stonebrae Country Club (Current Development)	\$335.00	\$344.92	\$1,321.40	Yes
11	Stonebrae Country Club (Future Development)	\$175.00	\$180.18	\$1,321.40	Yes
12 ⁽²⁾	Eden Shores East - Sports Park	\$166.76	\$175.08	\$175.08	Yes
13	Cannery Place (Current Development)	\$150.00	\$150.00	\$993.64	Yes
13	Cannery Place (Future Development)	\$0.00	\$0.00	\$993.64	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 2013.

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 June 12, 2012, 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 2013 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 2013

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. 12-055, preliminarily approving the Engineer's Report, as adopted by the City Council of the City of Hayward, on April 24, 2012, 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 2013. 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 2013

The improvements consist of the construction, operation, maintenance, rehabilitation 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.

Maintenance means the furnishing of services and materials for the ordinary and usual operation, maintenance and servicing of the landscaping, public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping improvements, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; and the removal of trimmings, rubbish, debris and other solid waste; the cleaning, sandblasting, and painting of street lights and other improvements to remove graffiti.

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 2013 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 2013 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 2013, 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 2013 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.

- For FY 2013, the collection rate will remain at \$93.08 per parcel. 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 2013 Collection Rate per Parcel: \$781.66

- 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 2013 is \$782.20 per parcel, which is at the base maximum assessment rate per parcel.

- The following capital improvements have been constructed with revenues received from the capital improvements 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 2012 a portion of the existing sprinkler system was upgraded to provide a more water efficient/conservative system, which is intended to cut back on water waste and reduce the costs for annual maintenance. Approximately \$52,000 was allocated for the installation of the Calsense sprinkler system in FY 2011 and 2012.

FY 2013: Calsense Sprinkler System and Landscape Upgrade Projects

For FY 2013, the Prominence Landscape Committee submitted a budget request for allocation of an additional \$52,000 to continue to upgrade the existing sprinkler system to the Calsense sprinkler system. In addition to the Calsense project, the Committee also proposed to do the following improvements: 1) mulch placement for \$4,000, 2) Bunch grass removal and replants, and sprinkler repair along Fox Hollow for \$10,000, and 3) cleanup, enhance irrigation and plants above the V-ditch along Hayward Boulevard as part of multi-year capital improvement project for \$20,000. Total proposed improvements cost is \$86,000 in FY 2013. This will bring the total costs of improvements installed in Zone 3 to \$265,000 since FY 2006.

- 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 2013 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 2013 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 2013 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 2013 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 2013 Collection Rate per linear-foot of Street Frontage: \$2.00

- Landscaping upgrade within the median islands in San Clemente Street between Zephyr Avenue and San Antonio Street at a cost of \$1,900;
 - Landscaping and decorative paving within the median islands in San Clemente Street between Zephyr Avenue and San Antonio Street;
 - Landscaping in the fountain area;
 - The identification sign, fountain, lighting, and landscaping in the main entrance median at San Clemente Street and San Antonio Street.
 - In FY 2013 the City plans to install landscaping in the fountain area at a cost of \$2,000.
 - For FY 2013 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 2013 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 2013, 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 \$818.15 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 2013 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 2013, the collection rate will remain at \$350.00 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 \$585.15 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 2013 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.
- For FY 2013 the collection rate will remain at \$25.00 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 \$156.24 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 2013 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.
- For FY 2013 the collection rate will remain at \$300.00 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 \$931.65 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 II (Stonebrae Country Club)** – Tracts No. 5354

Formed: July 18, 2006

Resolution Number: 06-096

556 parcels

FY 2013 Collection Rate per Parcel in current development phase: \$344.92

FY 2013 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 2013 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 279 single-family parcels (244 parcels assessed in FY 2012) located at or near the entrance to the development. The future development phases will consist of the remaining 277 single-family parcels. For FY 2013 the collection rate will remain at \$344.92 per parcel in the current phase and \$181.18 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 \$1,321.40 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 II 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 2013 Collection Rate per Parcel: \$175.08

- 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 2013 the collection rate will be increased from \$171.70 to \$175.80 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 2013 Collection Rate per unit in current development phase: \$150.00
FY 2013 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 436 residential units which have approved building permit applications (297 units assessed in FY 2012). The future development phases will consist of the remaining 193 residential units and one commercial retail parcel. For FY 2013 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 \$993.64 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 2013 expenditures for the proposed District are itemized by zone as follows:

Zone Number	Name/Location	Estimated Revenue for Fiscal Year 2013
1	Huntwood Ave. & Panjon St.	\$6,900.00
2	Harder Rd. & Mocine Ave.	\$7,911.80
3	Hayward Blvd. & Fairview Ave.	\$121,241.00
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	\$146,142.54
12	Eden Shores East - Sports Park	\$45,695.88
13	Cannery Place	\$65,400.00
	<i>TOTAL:</i>	<i>\$767,230.78</i>

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 XIID, 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 XIII A 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 XIID 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 2013, 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 2013, 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 December 2011. The December 2011 CPI was 231.109, which translates to a 12.63% (231.109/205.2) increase since the base year. Therefore, the base maximum of \$782.20 per parcel could be assessed in FY 2013. The collection rate will be \$782.20 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 2013, the total assessment revenue needed to operate and maintain the facilities within the zone is \$121,241.00. Since the collection rate is limited to the base maximum amount, the following amount should be collected:

\$782.20 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 2013, 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 2013, 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 2013, 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 December 2011. The December 2011 CPI was 231.109, which translates to a 36.91% (231.109/168.8) increase since the base year. Therefore, the base maximum of \$818.15 per parcel could be assessed in FY 2013. 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 2013, 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 December 2011. The December 2011 CPI was 231.109, which translates to a 32.14% (231.109/174.9) increase since the base year. Therefore, the base maximum of \$585.15 per parcel could be assessed in FY 2013. 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 2013, 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 December 2011. The December 2011 CPI was 231.109, which translates to a 24.99% (231.109/184.9) increase since the base year. Therefore, the base maximum of \$156.24 per parcel could be assessed in FY 2013. 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 2013, 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 December 2011. The December 2011 CPI was 231.109, which translates to a 20.21% (231.109/192.25) increase since the base year. Therefore, the base maximum of \$931.65 per parcel could be assessed in FY 2013. 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 2013, 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 December 2011. The December 2011 CPI was 231.109, which translates to a 12.63% (231.109/205.2) increase since the base year. Therefore, the base maximum of \$1,321.40 per parcel could be assessed in FY 2013. The project is proposed to be developed in multiple phases. The current development phases will be constructed first and consist of the 279 proposed single-family parcels located at or near the entrance to the development. The future development phases will consist of the remaining 277 proposed single-family parcels. In FY 2013, the total assessment revenue needed to operate and maintain the facilities is \$146,142.54. Therefore, each of the 279 parcels located within the current development will be assessed \$344.92 and the remaining 277 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 December 2011. The December 2011 CPI was 231.109, which translates to a 9.43% (231.109/211.189) increase since the base year. Therefore, the base maximum of \$175.08 per parcel could be assessed in FY 2013. 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 2013, the total assessment revenue needed to operate and maintain the facilities within the zone is \$45,695.88. Since the collection rate is limited to the base maximum amount, the following amount should be collected:

\$175.08 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 December 2011. The December 2011 CPI was 231.109, which translates to a 4.38% (231.109/221.4195) increase since the base year. Therefore, the base maximum of \$993.64 per residential unit and commercial parcel could be assessed in FY 2013. The project is proposed to be developed in two (2) phases. The current development phase will be constructed first and consist of the 436 residential units which have approved building permit applications. The future development phase will consist of the remaining 193 residential units and one commercial retail parcel. In FY 2013, the total assessment revenue needed to operate and maintain the facilities is \$65,400.00. Therefore, each of the 436 residential units located within the current development phase will be assessed \$150.00 and the remaining 193 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 2013 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 2013 Huntwood Avenue & Panjon Street	
	Fiscal Year 2013 Budget
Number of Assessable Parcels	30
Beginning Balance of Fiscal Year (July 1, 2012)	<u>\$19,906.53</u>
REVENUE	
Annual Assessment Fee (30 Assessable Parcels)	\$6,900.00
County Collection Fee (1.7%)	(\$117.30)
Net Revenue	\$6,782.70
Total Available	<u>\$26,689.23</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$1,440.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$2,000.00
(c) Landscape Upgrade/Replacement	\$500.00
Subtotal I:	<u>\$3,940.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$855.00
(b) Supplies: printing, postage and publishing	\$115.00
Subtotal II:	<u>\$970.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$1,860.00
Subtotal III:	<u>\$1,860.00</u>
Total Expense (Sum of I, II and III)	<u>\$6,770.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$19,919.23</u>
Deposit into Reserves	<u>\$12.70</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six months of Fiscal Year (50% of Total Expense) ¹	\$3,385.00
Anticipated Total Reserve at the end of Fiscal Year	\$19,919.23
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. Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 832 - Zone 2 - Fiscal Year 2013 Harder Road & Mocine Avenue	
	Fiscal Year 2013 Budget
Number of Assessable Parcels	85
Beginning Balance of Fiscal Year (July 1, 2012)	<u>\$8,477.27</u>
REVENUE	
Annual Assessment Fee (85 Assessable Parcels)	\$7,911.80
County Collection Fee (1.7%)	(\$134.50)
Net Revenue	\$7,777.30
Total Available	<u>\$16,254.57</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$1,300.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$4,500.00
Subtotal I:	<u>\$5,800.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$855.00
(b) Supplies: printing, postage and publishing	\$120.00
Subtotal II:	<u>\$975.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$1,000.00
Subtotal III:	<u>\$1,000.00</u>
Total Expense (Sum of I, II and III)	<u>\$7,775.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$8,479.57</u>
Deposit into Reserves	<u>\$2.30</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six months of Fiscal Year (50% of Total Expense) ¹	\$3,887.50
Anticipated Total Reserve at the end of Fiscal Year	<u>\$8,479.57</u>
Collection per Parcel	<u>\$93.08</u>
Base Assessment per Parcel	<u>\$93.08</u>
NOTES:	
<p>⁽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.</p> <p>Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

Fund 833 - Zone 3 - Fiscal Year 2013 Hayward Boulevard & Fairview Avenue	
	Fiscal Year 2013 Budget
Number of Assessable Parcels	155
Beginning Balance of Fiscal Year (July 1, 2012)	<u>\$144,148.76</u>
REVENUE	
Annual Assessment Fee (155 Assessable Parcels)	\$121,241.00
County Collection Fee (1.7%)	(\$2,061.10)
Net Revenue	\$119,179.90
Total Available	<u>\$263,328.67</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$24,000.00
(b) Capital Projects: 1) Calsense Water Conservation Project, 2) Fox Hollow, Bunch Grass Removal and Replanting, Sprinklers, 3) Multi-Year Project - Hayward Blvd., V-Ditch (cleanup, enhance irrigation, plants)	\$82,000.00
(c) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, adding mulch, spraying, and masonry wall surface maintenance	<u>\$53,000.00</u>
Subtotal I:	<u>\$159,000.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$2,595.00
(b) Supplies: printing, postage and publishing	\$1,000.00
Subtotal II:	<u>\$3,595.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$10,000.00
Subtotal III:	<u>\$10,000.00</u>
Total Expense (Sum of I, II and III)	<u>\$172,595.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$90,733.67</u>
Withdrawal from Reserves	<u>(\$53,415.10)</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six months of Fiscal Year (50% of Total Expense) ¹	\$86,297.50
Anticipated Total Reserve at the end of Fiscal Year	\$90,733.67
Collection per Parcel	\$782.20
Base Assessment per Parcel	\$782.20
NOTES:	
<p>⁽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.</p> <p>Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

Fund 834 - Zone 4 - Fiscal Year 2013 Pacheco Way, Stratford Road, Ruus Lane, Ward Creek	
	Fiscal Year 2013 Budget
Number of Assessable Parcels	175
Beginning Balance of Fiscal Year (July 1, 2012)	<u>\$83,843.53</u>
REVENUE	
Annual Assessment Fee (175 Assessable Parcels)	\$21,175.00
County Collection Fee (1.7%)	(\$359.98)
Net Revenue	\$20,815.03
Total Available	<u>\$104,658.56</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$3,000.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$10,400.00
Subtotal I:	<u>\$13,400.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$855.00
(b) Special Services (Alameda County Drainage and Access Facilities)	\$4,900.00
(c) Supplies: printing, postage and publishing	\$150.00
Subtotal II:	\$5,905.00
<u>III. Administrative Services</u>	
(a) Administration	\$1,500.00
Subtotal III:	<u>\$1,500.00</u>
Total Expense (Sum of I, II and III)	<u>\$20,805.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$83,853.56</u>
Deposit into Reserves	<u>\$10.03</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six months of Fiscal Year (50% of Total Expense) ¹	\$10,402.50
Anticipated Total Reserve at the end of Fiscal Year	\$83,853.56
Collection per Parcel	\$121.00
Base Assessment per Parcel	\$121.00
NOTES:	
<p>⁽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.</p> <p>Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

Fund 835 - Zone 5 - Fiscal Year 2013 Soto Road & Plum Tree Street	
	Fiscal Year 2013 Budget
Number of Assessable Parcels	38
Beginning Balance of Fiscal Year (July 1, 2012)	<u>\$7,574.09</u>
REVENUE	
Annual Assessment Fee (38 Assessable Parcels)	\$5,286.56
County Collection Fee (1.7%)	(\$89.87)
Net Revenue	\$5,196.69
Total Available	<u>\$12,770.78</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(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	\$400.00
Subtotal I:	<u>\$3,310.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$855.00
(b) Supplies: printing, postage and publishing	\$120.00
Subtotal II:	<u>\$975.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$900.00
Subtotal III:	<u>\$900.00</u>
Total Expense (Sum of I, II and III)	<u>\$5,185.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$7,585.78</u>
Deposit into Reserves	<u>\$11.69</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six months of Fiscal Year (50% of Total Expense) ¹	\$2,592.50
Anticipated Total Reserve at the end of Fiscal Year	<u>\$7,585.78</u>
Collection per Parcel	<u>\$139.12</u>
Base Assessment per Parcel	<u>\$139.12</u>
NOTES:	
<p>⁽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.</p> <p>Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

Fund 820 - Zone 6 - Fiscal Year 2013 Peppertree Park	
	Fiscal Year 2013 Budget
Length of Assessable Street Frontage	4,994
Beginning Balance of Fiscal Year (July 1, 2012)	<u>\$45,783.05</u>
REVENUE	
Annual Assessment Fee (4,994 Assessable Linear Feet)	\$9,988.00
County Collection Fee (1.7%)	(\$169.80)
Net Revenue	\$9,818.20
Total Available	<u>\$55,601.26</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(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) Median Improvements	\$1,900.00
Subtotal I:	<u>\$7,250.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$855.00
(b) Supplies: printing, postage and publishing	\$110.00
Subtotal II:	<u>\$965.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$1,500.00
Subtotal III:	<u>\$1,500.00</u>
Total Expense (Sum of I, II and III)	<u>\$9,715.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$45,886.26</u>
Deposit into Reserves	<u>\$103.20</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six months of Fiscal Year (50% of Total Expense) ¹	\$4,857.50
Anticipated Total Reserve at the end of Fiscal Year	<u>\$45,886.26</u>
Collection per Parcel	<u>\$2.00</u>
Base Assessment per Linear Foot	<u>\$2.61</u>
NOTES:	
<p>⁽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.</p> <p>Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

Fund 837 - Zone 7 - Fiscal Year 2013 Mission Boulevard, Industrial Parkway, Arrowhead Way	
	Fiscal Year 2013 Budget
Number of Assessable Parcels	348
Beginning Balance of Fiscal Year (July 1, 2012)	<u>\$335,537.15</u>
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	<u>\$499,737.47</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$41,000.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	<u>\$51,200.00</u>
Subtotal I:	<u>\$92,200.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$2,595.00
(b) Special Services (HARD)	\$60,000.00
(c) Supplies: printing, postage and publishing	\$400.00
Subtotal II:	<u>\$62,995.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$9,000.00
Subtotal III:	<u>\$9,000.00</u>
Total Expense (Sum of I, II and III)	<u>\$164,195.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$335,542.47</u>
Deposit into Reserves	<u>\$5.32</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six months of Fiscal Year (50% of Total Expense) ¹	\$82,097.50
Anticipated Total Reserve at the end of Fiscal Year	\$335,542.47
Collection per Parcel	\$480.00
Base Assessment per Parcel	\$818.15
NOTES:	
<p>⁽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.</p> <p>Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

Fund 839 - Zone 8 - Fiscal Year 2013 Capitola Street	
	Fiscal Year 2013 Budget
Number of Assessable Parcels	24
Beginning Balance of Fiscal Year (July 1, 2012)	<u>\$25,347.83</u>
REVENUE	
Annual Assessment Fee (24 Assessable Parcels)	\$8,400.00
County Collection Fee (1.7%)	(\$142.80)
Net Revenue	\$8,257.20
Total Available	<u>\$33,605.03</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$3,490.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	<u>\$2,600.00</u>
Subtotal I:	<u>\$6,090.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$855.00
(b) Supplies: printing, postage and publishing	\$110.00
Subtotal II:	<u>\$965.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$1,200.00
Subtotal III:	<u>\$1,200.00</u>
<u>Total Expense (Sum of I, II and III)</u>	<u>\$8,255.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$25,350.03</u>
Deposit into Reserves	<u>\$2.20</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six months of Fiscal Year (50% of Total Expense) ¹	\$4,127.50
Anticipated Total Reserve at the end of Fiscal Year	<u>\$25,350.03</u>
Collection per Parcel	<u>\$350.00</u>
Base Assessment per Parcel	<u>\$585.15</u>
NOTES:	
<p>⁽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.</p> <p>Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

Fund 821 - Zone 9 - Fiscal Year 2013 Orchard Avenue	
	Fiscal Year 2013 Budget
Number of Assessable Parcels	74
Beginning Balance of Fiscal Year (July 1, 2012)	<u>\$10,657.61</u>
REVENUE	
Annual Assessment Fee (74 Assessable Parcels)	\$1,850.00
County Collection Fee (1.7%)	(\$31.45)
Net Revenue	<u>\$1,818.55</u>
Total Available	\$12,476.16
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(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
Subtotal I:	\$400.00
<u>II. Supplies & Services</u>	
(a) Special Services (consultants)	\$855.00
(b) Supplies: printing, postage and publishing	\$100.00
Subtotal II:	\$955.00
<u>III. Administrative Services</u>	
(a) Administration	\$460.00
Subtotal III:	\$460.00
<u>Total Expense (Sum of I, II and III)</u>	<u>\$1,815.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$10,661.16</u>
Deposit into Reserves	<u>\$3.55</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six months of Fiscal Year (50% of Total Expense) ¹	\$907.50
Anticipated Total Reserve at the end of Fiscal Year	\$10,661.16
Collection per Parcel	\$25.00
Base Assessment per Parcel	\$156.24
NOTES:	
<p>⁽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.</p> <p>Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

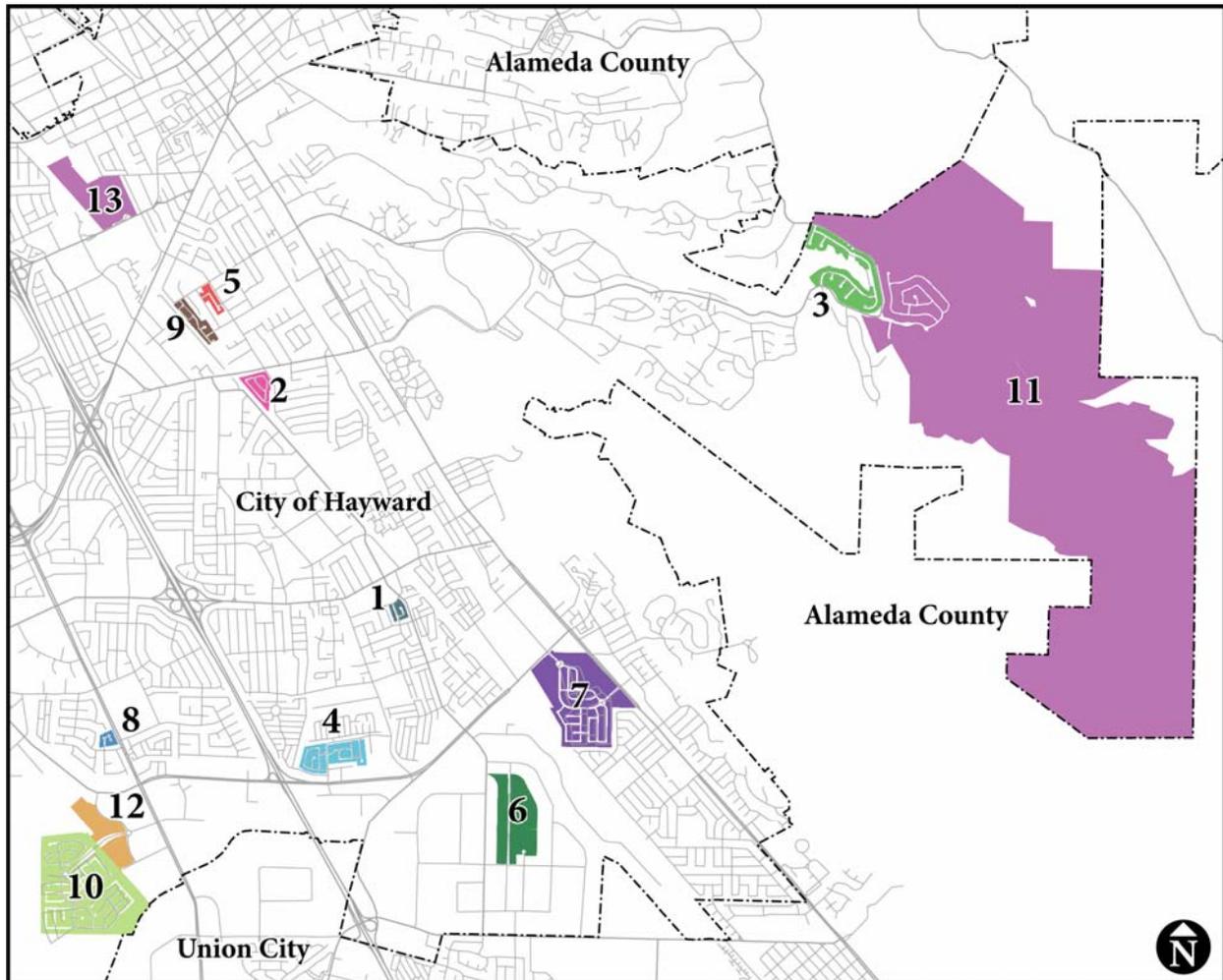
Fund 822 - Zone 10 - Fiscal Year 2013 Eden Shores	
	Fiscal Year 2013 Budget
Number of Assessable Parcels	534
Beginning Balance of Fiscal Year (July 1, 2012)	<u>\$823,697.61</u>
REVENUE	
Annual Assessment Fee (534 Assessable Parcels)	\$160,200.00
County Collection Fee (1.7%)	(\$2,723.40)
Net Revenue	\$157,476.60
Total Available	<u>\$981,174.21</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$20,000.00
(b) Maintenance Work: Landscaping maintenance, debris removal, trimming, and masonry wall surface maintenance (See II.c)	\$0.00
Subtotal I:	<u>\$20,000.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$2,595.00
(b) Special Services (HARD 5-Acre Park Maintenance)	\$90,000.00
(c) Special Services (Eden Shores HOA)	\$36,000.00
(d) Supplies: printing, postage and publishing	\$350.00
Subtotal II:	<u>\$128,945.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$8,500.00
Subtotal III:	<u>\$8,500.00</u>
Total Expense (Sum of I, II and III)	<u>\$157,445.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$823,729.21</u>
Deposit into Reserves	<u>\$31.60</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six months of Fiscal Year (50% of Total Expense) ¹	\$78,722.50
Anticipated Total Reserve at the end of Fiscal Year	<u>\$823,729.21</u>
Collection per Parcel	<u>\$300.00</u>
Base Assessment per Parcel	<u>\$931.65</u>
NOTES:	
<p>⁽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.</p> <p>Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

Fund 823 - Zone II - Fiscal Year 2013 Stonebrae Country Club	
	Fiscal Year 2013 Budget
Number of Assessable Parcels (Current Development)	279
Number of Assessable Parcels (Future Development)	277
Beginning Balance of Fiscal Year (July 1, 2012)	<u>\$624,329.31</u>
REVENUE	
Annual Assessment Fee (244 Current Assessable Parcels)	\$96,232.68
Annual Assessment Fee (312 Future Assessable Parcels)	\$49,909.86
County Collection Fee (1.7%)	(\$2,484.42)
Net Revenue	<u>\$143,658.12</u>
Total Available	<u>\$767,987.42</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy (Stonebrae HOA)	\$57,000.00
(b) Maintenance Work: Lighting Repair/Replacement	\$5,800.00
(c) Landscape Upgrade/Replacement	<u>\$10,000.00</u>
Subtotal I:	<u>\$72,800.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$2,595.00
(b) Special Services (Stonebrae HOA - Landscaping)	\$61,000.00
(c) Supplies: printing, postage and publishing	\$260.00
Subtotal II:	<u>\$63,855.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$7,000.00
Subtotal III:	<u>\$7,000.00</u>
<u>Total Expense (Sum of I, II and III)</u>	<u>\$143,655.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$624,332.42</u>
Deposit into Reserves	<u>\$3.12</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six months of Fiscal Year (50% of Total Expense) ¹	\$71,827.50
Anticipated Total Reserve at the end of Fiscal Year	<u>\$624,332.42</u>
Collection per Parcel (current development)	<u>\$344.92</u>
Collection per Parcel (future development)	<u>\$180.18</u>
Base Assessment per Parcel	<u>\$1,321.40</u>
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. Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 824 - Zone 12 - Fiscal Year 2013 Eden Shores East	
	Fiscal Year 2013 Budget
Number of Assessable Parcels	261
Beginning Balance of Fiscal Year (July 1, 2012)	<u>\$24,343.82</u>
REVENUE	
Annual Assessment Fee (261 Assessable Parcels)	\$45,695.88
County Collection Fee (1.7%)	(\$776.83)
Net Revenue	\$44,919.05
Total Available	<u>\$69,262.87</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY (HARD)</u>	
<u>I. Maintenance & Utility</u>	
(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)	<u>\$0.00</u>
Subtotal I:	\$0.00
<u>II. Supplies & Services</u>	
(a) Special Services	\$2,595.00
(b) Special Services (HARD)	\$39,000.00
(c) Supplies: printing, postage and publishing	<u>\$220.00</u>
Subtotal II:	\$41,815.00
<u>III. Administrative Services</u>	
(a) Administration	<u>\$3,100.00</u>
Subtotal III:	\$3,100.00
<u>Total Expense (Sum of I, II and III)</u>	<u>\$44,915.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$24,347.87</u>
Deposit into Reserves	<u>\$4.05</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six months of Fiscal Year (50% of Total Expense) ¹	\$22,457.50
Anticipated Total Reserve at the end of Fiscal Year	\$24,347.87
Collection per Parcel	\$175.08
Base Assessment per Parcel	\$175.08
NOTES:	
<p>⁽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.</p> <p>Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

Fund 825 - Zone 13 - Fiscal Year 2013 Cannery Place	
	Fiscal Year 2013 Budget
Number of Assessable Parcels (Current Development)	436
Number of Assessable Parcels (Future Development)	193
Beginning Balance of Fiscal Year (July 1, 2012)	<u>\$98,877.91</u>
REVENUE	
Annual Assessment Fee (297 Current Assessable Parcels)	\$65,400.00
Annual Assessment Fee (332 Future Assessable Parcels)	\$0.00
County Collection Fee (1.7%)	(\$1,111.80)
Net Revenue	<u>\$64,288.20</u>
Total Available	<u>\$163,166.11</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(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:	<u>\$0.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$2,595.00
(b) Supplies: printing, postage and publishing	\$200.00
Subtotal II:	<u>\$2,795.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$3,500.00
Subtotal III:	<u>\$3,500.00</u>
<u>Total Expense (Sum of I, II and III)</u>	<u>\$6,295.00</u>
Ending Balance of Fiscal Year (June 30, 2013)	<u>\$156,871.11</u>
Deposit into Reserves	<u>\$57,993.20</u>
RESERVE DETAIL	
Required Working Capital from Capital Reserves for first six months of Fiscal Year (50% of Total Expense) ¹	\$3,147.50
Anticipated Total Reserve at the end of Fiscal Year	<u>\$156,871.11</u>
Collection per Parcel (current development)	\$150.00
Collection per Parcel (future development)	\$0.00
Base Assessment per Parcel	<u>\$993.64</u>
<p>⁽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.</p> <p>Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

APPENDIX B
VICINITY MAP



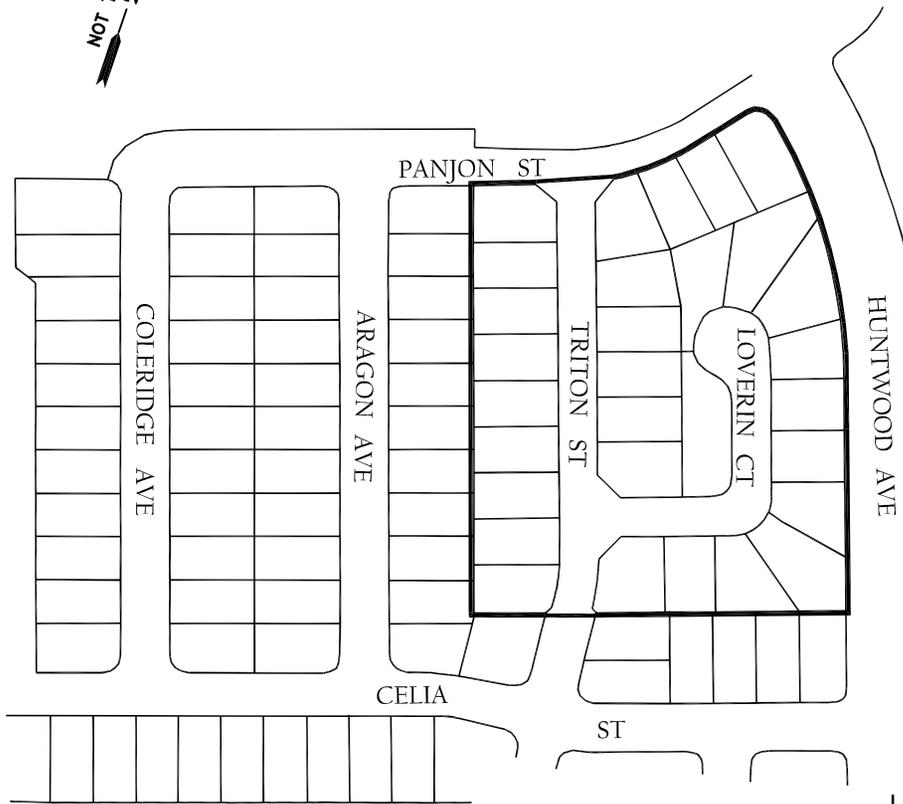
APPENDIX C
ASSESSMENT DIAGRAM

ASSESSMENT DISTRICT DIAGRAM

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

SHEET 1 OF 13

CITY OF HAYWARD
 COUNTY OF ALAMEDA
 STATE OF CALIFORNIA



ZONE 1: HUNTWOOD AVENUE AND PANJON STREET

LEGEND

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

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

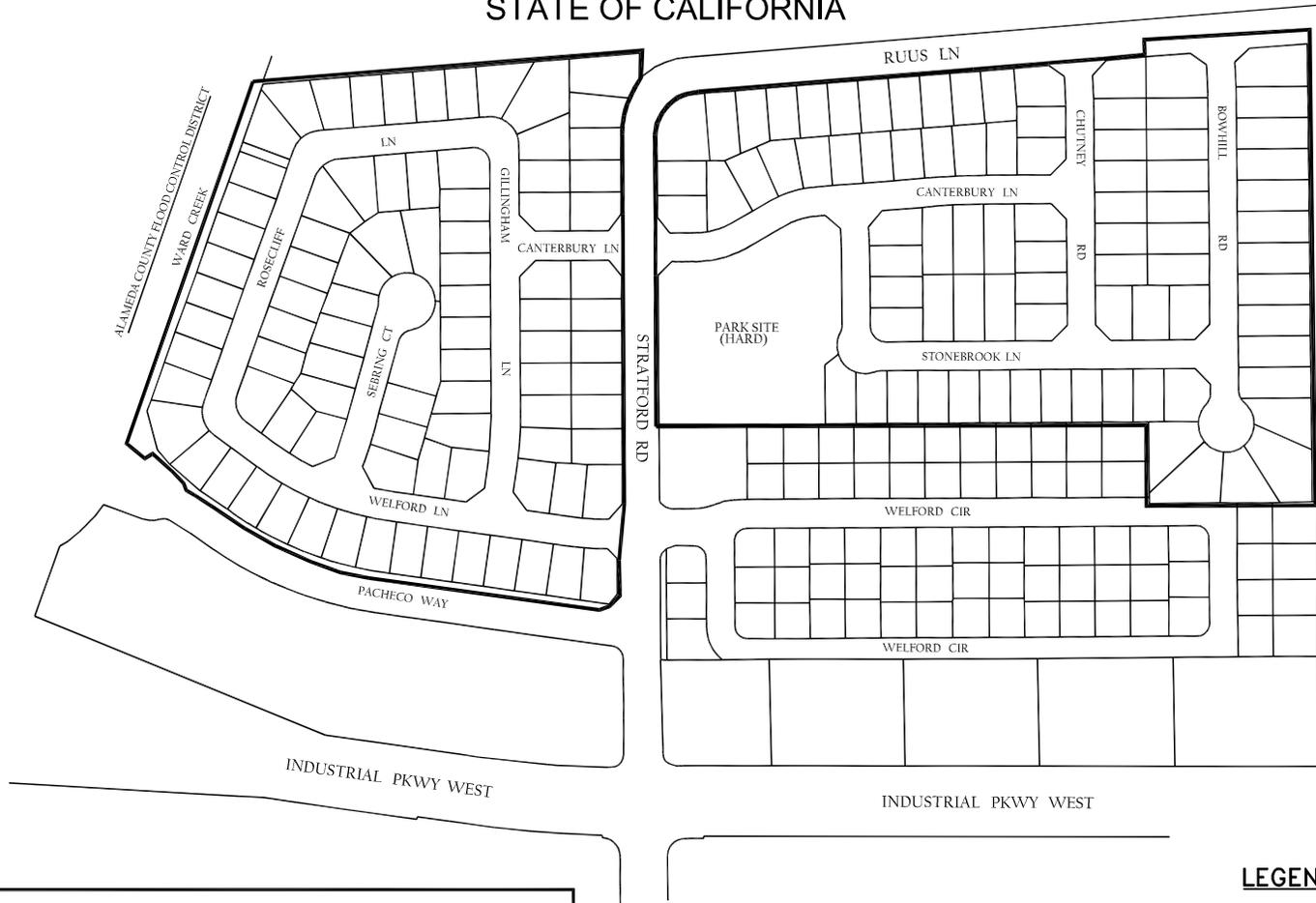
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DISTRICT DIAGRAM

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

SHEET 4 OF 13

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



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

LEGEND

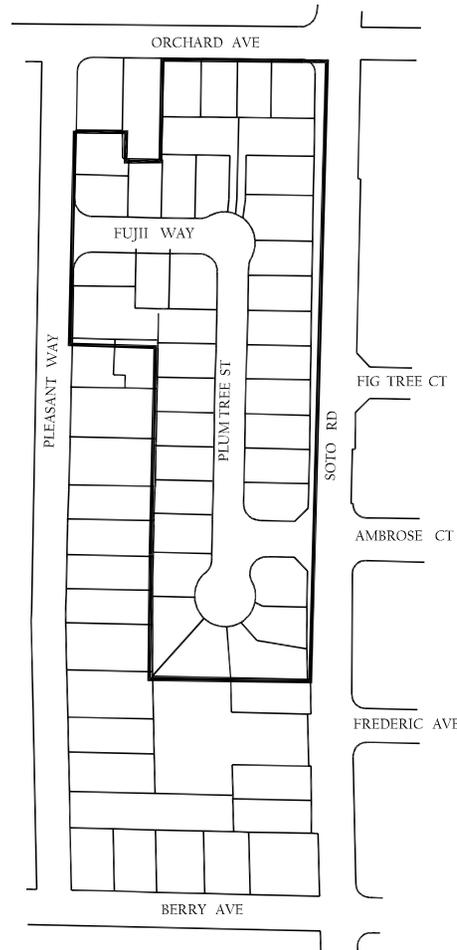
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

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

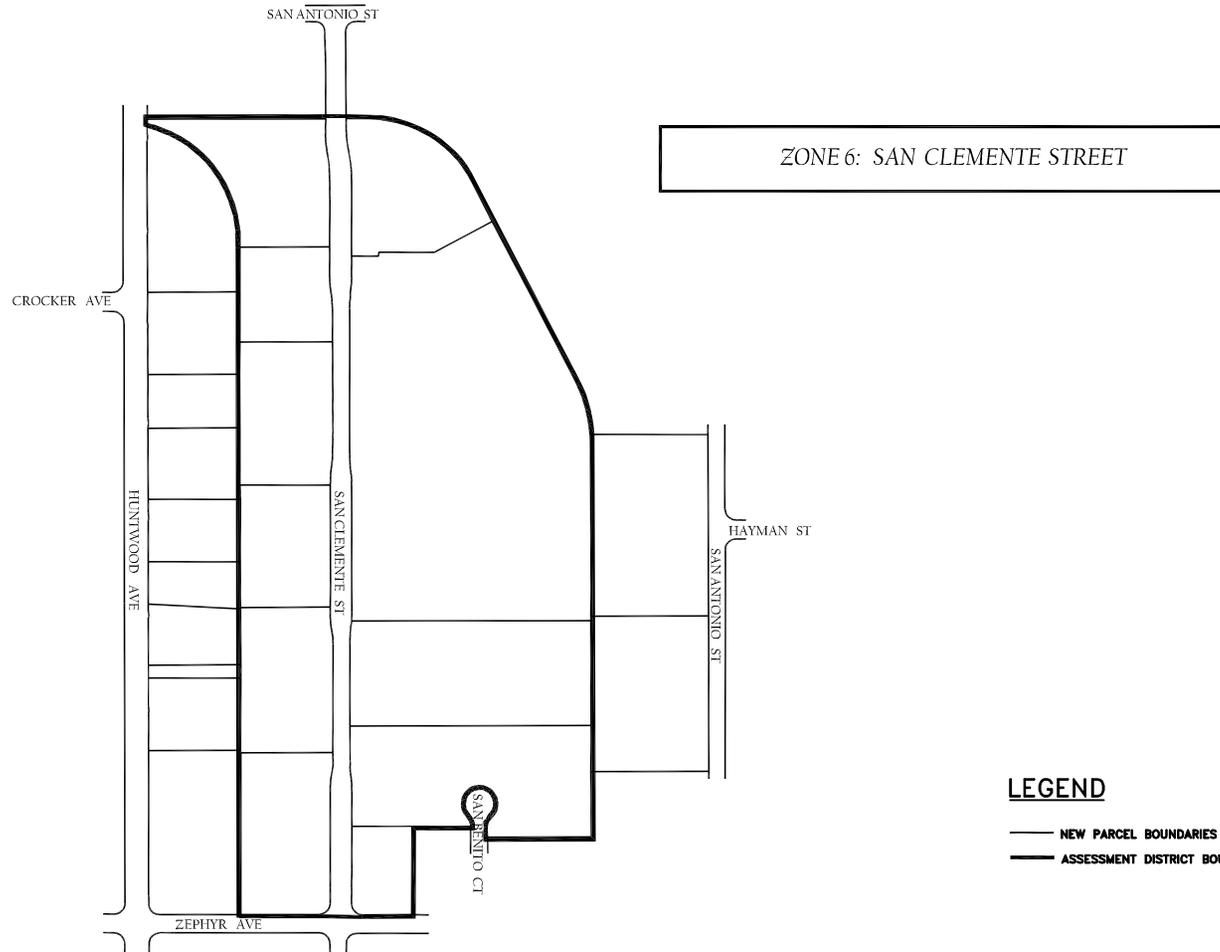
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DISTRICT DIAGRAM

SHEET 6 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

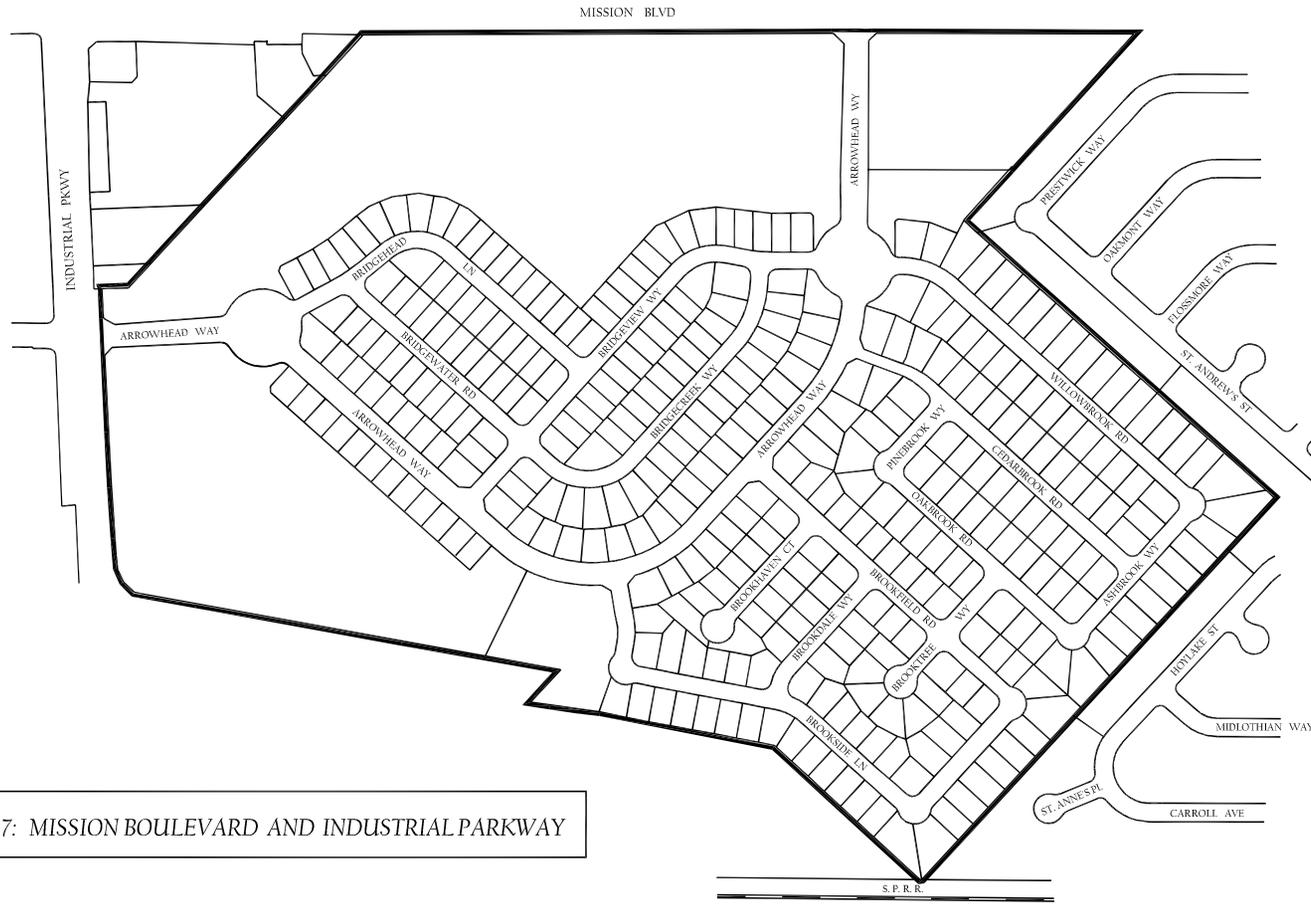


ASSESSMENT DISTRICT DIAGRAM

SHEET 7 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 7: MISSION BOULEVARD AND INDUSTRIAL PARKWAY

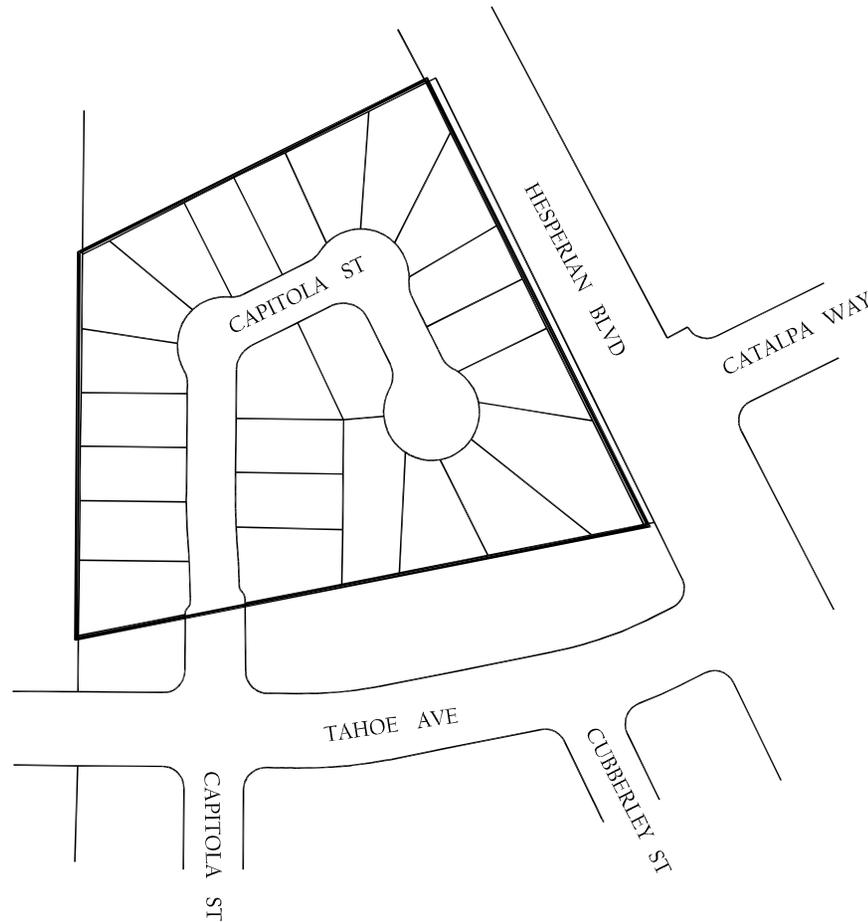
LEGEND
— NEW PARCEL BOUNDARIES
— ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DISTRICT DIAGRAM

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

SHEET 8 OF 13

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 8: CAPITOLA STREET

LEGEND

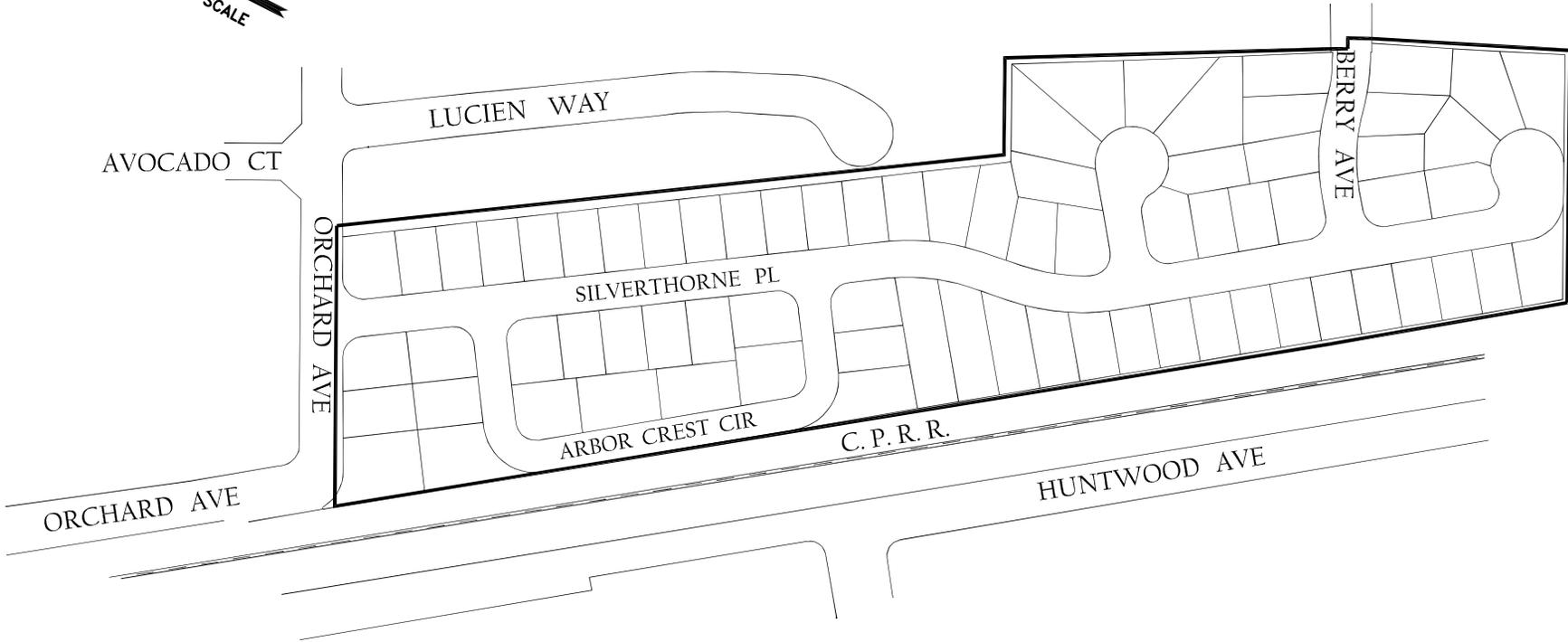
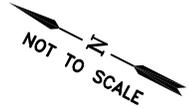
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

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

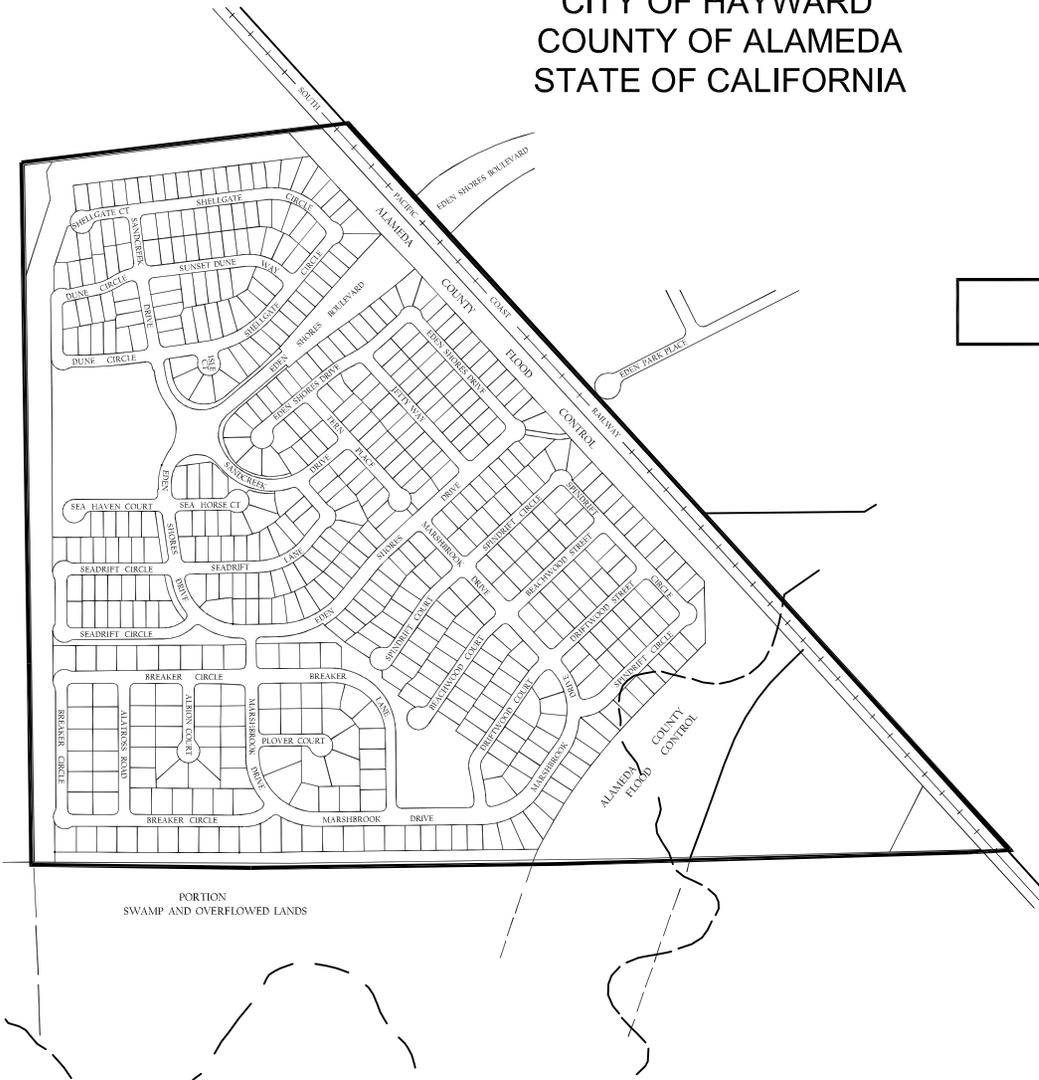
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DISTRICT DIAGRAM

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

SHEET 10 OF 13

CITY OF HAYWARD
 COUNTY OF ALAMEDA
 STATE OF CALIFORNIA



ZONE 10: EDEN SHORES

LEGEND

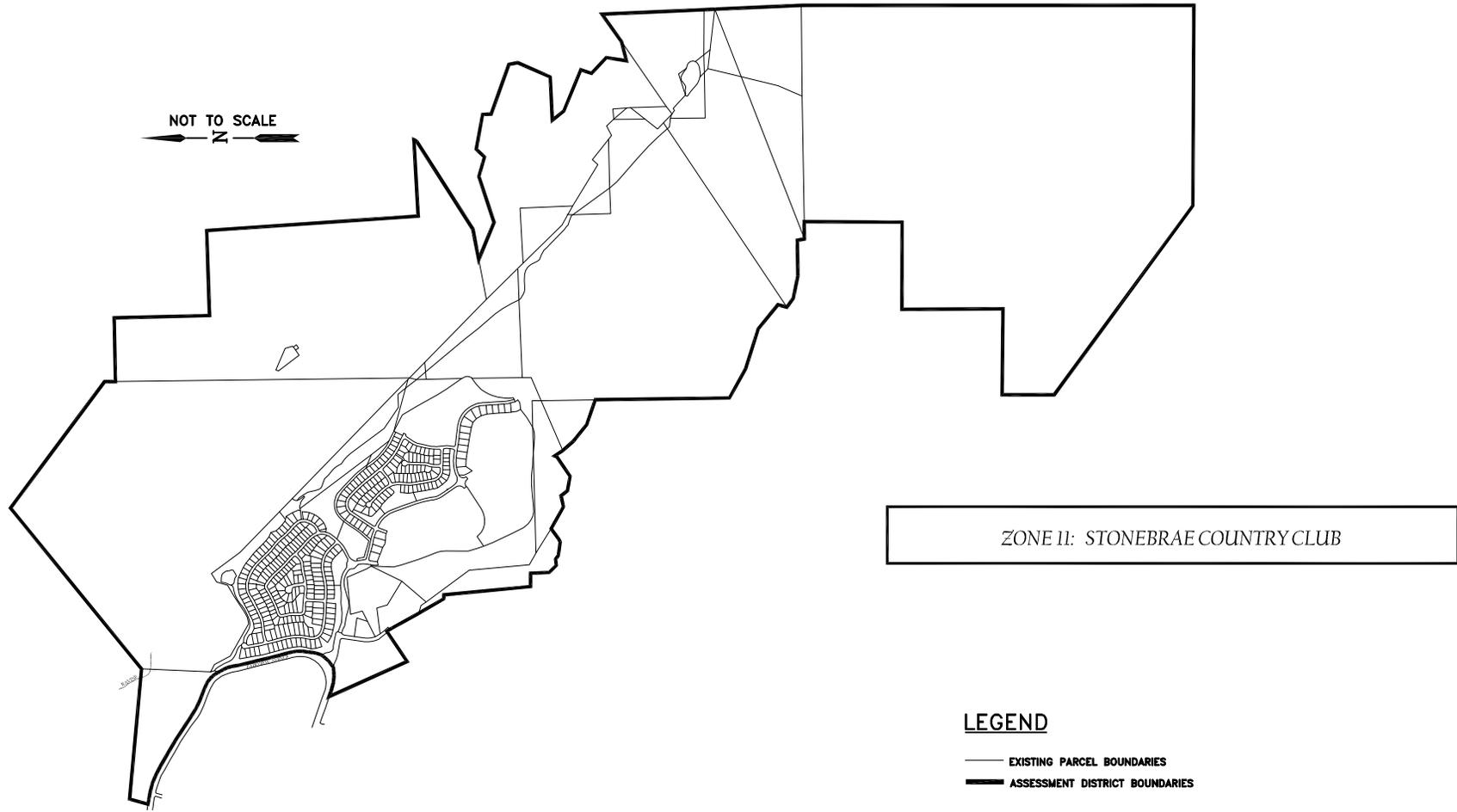
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DISTRICT DIAGRAM

SHEET 11 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

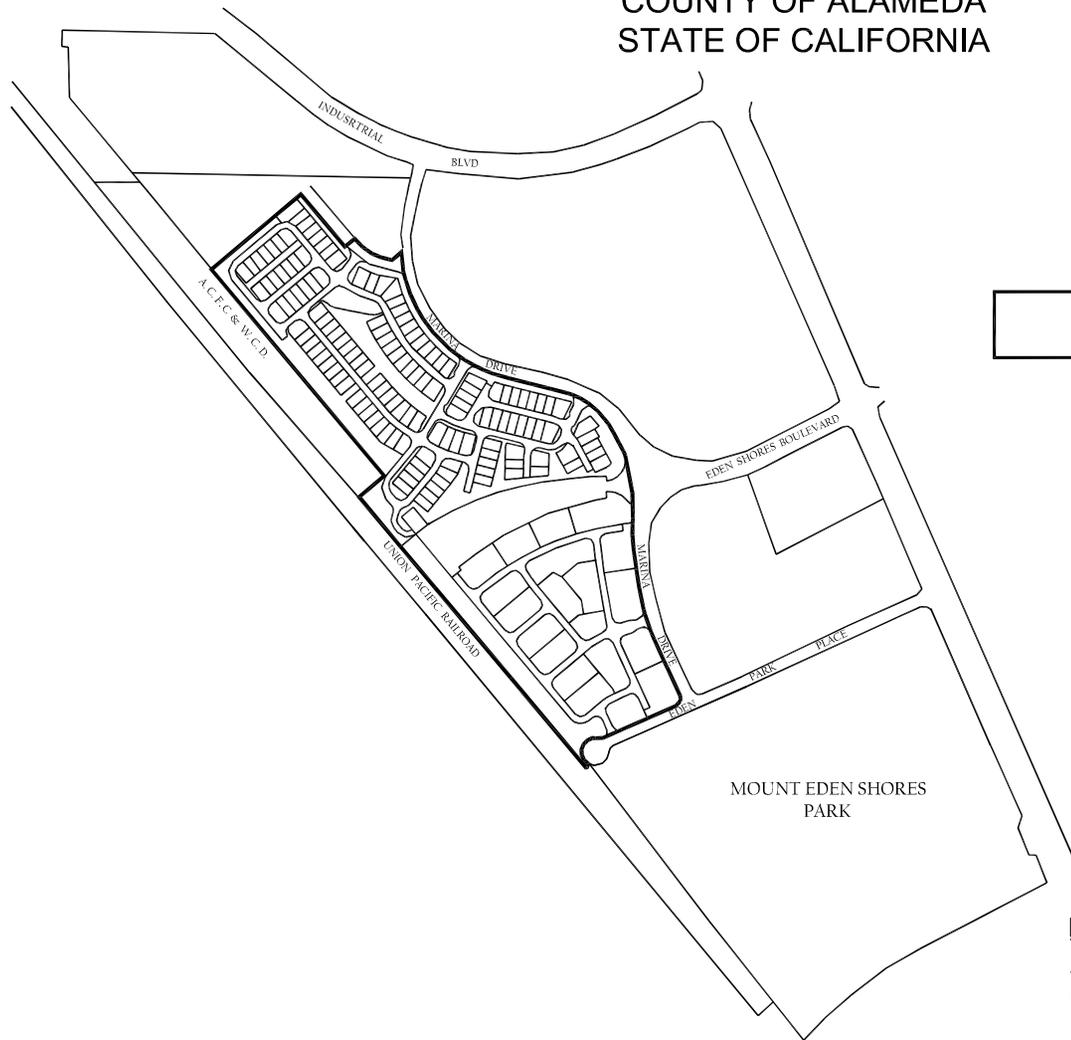


ASSESSMENT DISTRICT DIAGRAM

SHEET 12 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 12: EDEN SHORES EAST

LEGEND

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

APPENDIX D
FISCAL YEAR 2013
ASSESSMENT ROLL

Zone 01
Huntwood Ave. & Panjon St.

FINAL ASSESSMENT ROLL
 FISCAL YEAR 2013

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

Zone 02
Harder Rd. & Mocine Ave.

FINAL ASSESSMENT ROLL
 FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
452-0004-006-00	\$93.08	452-0004-059-00	\$93.08
452-0004-007-00	\$93.08	452-0004-060-00	\$93.08
452-0004-008-00	\$93.08	452-0004-061-00	\$93.08
452-0004-009-00	\$93.08	452-0004-062-00	\$93.08
452-0004-010-00	\$93.08	452-0004-063-00	\$93.08
452-0004-011-00	\$93.08	452-0004-064-00	\$93.08
452-0004-012-00	\$93.08	452-0004-065-00	\$93.08
452-0004-013-00	\$93.08	452-0004-066-00	\$93.08
452-0004-014-00	\$93.08	452-0004-067-00	\$93.08
452-0004-015-00	\$93.08	452-0004-068-00	\$93.08
452-0004-016-00	\$93.08	452-0004-069-00	\$93.08
452-0004-017-00	\$93.08	452-0004-070-00	\$93.08
452-0004-018-00	\$93.08	452-0004-071-00	\$93.08
452-0004-019-00	\$93.08	452-0004-072-00	\$93.08
452-0004-020-00	\$93.08	452-0004-073-00	\$93.08
452-0004-021-00	\$93.08	452-0004-074-00	\$93.08
452-0004-022-00	\$93.08	452-0004-075-00	\$93.08
452-0004-023-00	\$93.08	452-0004-076-00	\$93.08
452-0004-024-00	\$93.08	452-0004-077-00	\$93.08
452-0004-025-00	\$93.08	452-0004-078-00	\$93.08
452-0004-026-00	\$93.08	452-0004-079-00	\$93.08
452-0004-027-00	\$93.08	452-0004-080-00	\$93.08
452-0004-028-00	\$93.08	452-0004-081-00	\$93.08
452-0004-029-00	\$93.08	452-0004-082-00	\$93.08
452-0004-030-00	\$93.08	452-0004-083-00	\$93.08
452-0004-031-00	\$93.08	452-0004-084-00	\$93.08
452-0004-032-00	\$93.08	452-0004-085-00	\$93.08
452-0004-033-00	\$93.08	452-0004-086-00	\$93.08
452-0004-034-00	\$93.08	452-0004-087-00	\$93.08
452-0004-035-00	\$93.08	452-0004-088-00	\$93.08
452-0004-036-00	\$93.08	452-0004-089-00	\$93.08
452-0004-037-00	\$93.08	452-0004-090-00	\$93.08
452-0004-038-00	\$93.08	452-0004-091-00	\$93.08
452-0004-039-00	\$93.08		
452-0004-040-00	\$93.08	Total Parcels:	@ 85
452-0004-041-00	\$93.08	Total	
452-0004-042-00	\$93.08	Assessment:	\$7,911.80
452-0004-043-00	\$93.08		
452-0004-044-00	\$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		

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

Zone 03
Hayward Blvd. & Fairview Ave.

FINAL ASSESSMENT ROLL
FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
425 -0490-008-00	\$782.20	425 -0490-062-00	\$782.20	425 -0490-124-00	\$782.20	Total Parcels:	@ 155
425 -0490-009-00	\$782.20	425 -0490-063-00	\$782.20	425 -0490-125-00	\$782.20		
425 -0490-010-00	\$782.20	425 -0490-064-00	\$782.20	425 -0490-127-00	\$782.20	Total Assessment:	\$1 21,241.00
425 -0490-011-00	\$782.20	425 -0490-065-00	\$782.20	425 -0490-128-00	\$782.20		
425 -0490-012-00	\$782.20	425 -0490-066-00	\$782.20	425 -0490-129-00	\$782.20		
425 -0490-013-00	\$782.20	425 -0490-067-00	\$782.20	425 -0490-130-00	\$782.20		
425 -0490-014-00	\$782.20	425 -0490-068-00	\$782.20	425 -0490-131-00	\$782.20		
425 -0490-015-00	\$782.20	425 -0490-069-00	\$782.20	425 -0490-132-00	\$782.20		
425 -0490-016-00	\$782.20	425 -0490-070-00	\$782.20	425 -0490-133-00	\$782.20		
425 -0490-017-00	\$782.20	425 -0490-071-00	\$782.20	425 -0490-134-00	\$782.20		
425 -0490-018-00	\$782.20	425 -0490-072-00	\$782.20	425 -0490-135-00	\$782.20		
425 -0490-019-00	\$782.20	425 -0490-073-00	\$782.20	425 -0490-136-00	\$782.20		
425 -0490-020-00	\$782.20	425 -0490-074-00	\$782.20	425 -0490-137-00	\$782.20		
425 -0490-021-00	\$782.20	425 -0490-075-00	\$782.20	425 -0490-138-00	\$782.20		
425 -0490-022-00	\$782.20	425 -0490-076-00	\$782.20	425 -0490-139-00	\$782.20		
425 -0490-023-00	\$782.20	425 -0490-077-00	\$782.20	425 -0490-140-00	\$782.20		
425 -0490-024-00	\$782.20	425 -0490-078-00	\$782.20	425 -0490-141-00	\$782.20		
425 -0490-025-00	\$782.20	425 -0490-079-00	\$782.20	425 -0490-142-00	\$782.20		
425 -0490-026-00	\$782.20	425 -0490-080-00	\$782.20	425 -0490-143-00	\$782.20		
425 -0490-027-00	\$782.20	425 -0490-081-00	\$782.20	425 -0490-144-00	\$782.20		
425 -0490-028-00	\$782.20	425 -0490-082-00	\$782.20	425 -0490-145-00	\$782.20		
425 -0490-029-00	\$782.20	425 -0490-083-00	\$782.20	425 -0490-146-00	\$782.20		
425 -0490-030-00	\$782.20	425 -0490-084-00	\$782.20	425 -0490-147-00	\$782.20		
425 -0490-031-00	\$782.20	425 -0490-085-00	\$782.20	425 -0490-148-00	\$782.20		
425 -0490-032-00	\$782.20	425 -0490-086-00	\$782.20	425 -0490-149-00	\$782.20		
425 -0490-033-00	\$782.20	425 -0490-087-00	\$782.20	425 -0490-150-00	\$782.20		
425 -0490-034-00	\$782.20	425 -0490-088-00	\$782.20	425 -0490-151-00	\$782.20		
425 -0490-035-00	\$782.20	425 -0490-093-00	\$782.20	425 -0490-152-00	\$782.20		
425 -0490-037-00	\$782.20	425 -0490-095-00	\$782.20	425 -0490-153-00	\$782.20		
425 -0490-039-00	\$782.20	425 -0490-097-00	\$782.20	425 -0490-154-00	\$782.20		
425 -0490-040-00	\$782.20	425 -0490-098-00	\$782.20	425 -0490-155-00	\$782.20		
425 -0490-041-00	\$782.20	425 -0490-099-00	\$782.20	425 -0490-156-00	\$782.20		
425 -0490-042-00	\$782.20	425 -0490-101-00	\$782.20	425 -0490-157-00	\$782.20		
425 -0490-043-00	\$782.20	425 -0490-102-00	\$782.20	425 -0490-158-00	\$782.20		
425 -0490-044-00	\$782.20	425 -0490-103-00	\$782.20	425 -0490-159-00	\$782.20		
425 -0490-045-00	\$782.20	425 -0490-104-00	\$782.20	425 -0490-160-00	\$782.20		
425 -0490-046-00	\$782.20	425 -0490-105-00	\$782.20	425 -0490-161-00	\$782.20		
425 -0490-047-00	\$782.20	425 -0490-106-00	\$782.20	425 -0490-162-00	\$782.20		
425 -0490-048-00	\$782.20	425 -0490-109-00	\$782.20	425 -0490-163-00	\$782.20		
425 -0490-049-00	\$782.20	425 -0490-111-00	\$782.20	425 -0490-164-00	\$782.20		
425 -0490-050-00	\$782.20	425 -0490-112-00	\$782.20	425 -0490-165-00	\$782.20		
425 -0490-051-00	\$782.20	425 -0490-113-00	\$782.20	425 -0490-166-00	\$782.20		
425 -0490-052-00	\$782.20	425 -0490-114-00	\$782.20	425 -0490-167-00	\$782.20		
425 -0490-053-00	\$782.20	425 -0490-115-00	\$782.20	425 -0490-168-00	\$782.20		
425 -0490-054-00	\$782.20	425 -0490-116-00	\$782.20	425 -0490-169-00	\$782.20		
425 -0490-055-00	\$782.20	425 -0490-117-00	\$782.20	425 -0490-170-00	\$782.20		
425 -0490-056-00	\$782.20	425 -0490-118-00	\$782.20	425 -0490-171-00	\$782.20		
425 -0490-057-00	\$782.20	425 -0490-119-00	\$782.20	425 -0490-091-01	\$782.20		
425 -0490-058-00	\$782.20	425 -0490-120-00	\$782.20	425 -0490-175-00	\$782.20		
425 -0490-059-00	\$782.20	425 -0490-121-00	\$782.20	425 -0490-177-00	\$782.20		
425 -0490-060-02	\$782.20	425 -0490-122-00	\$782.20	425 -0490-178-01	\$782.20		
425 -0490-061-01	\$782.20	425 -0490-123-00	\$782.20				

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

Zone 04
Pacheco Wy, Stratford Rd, Russ Ln, Ward

FINAL ASSESSMENT ROLL
FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
464-0121-001-00	\$121.00	464-0121-059-00	\$121.00	464-0122-017-00	\$121.00	464-0122-069-00	\$121.00
464-0121-002-00	\$121.00	464-0121-060-00	\$121.00	464-0122-018-00	\$121.00	464-0122-070-00	\$121.00
464-0121-003-00	\$121.00	464-0121-061-00	\$121.00	464-0122-019-00	\$121.00	464-0122-071-00	\$121.00
464-0121-004-00	\$121.00	464-0121-062-00	\$121.00	464-0122-020-00	\$121.00	464-0122-072-00	\$121.00
464-0121-005-00	\$121.00	464-0121-063-00	\$121.00	464-0122-021-00	\$121.00	464-0122-073-00	\$121.00
464-0121-006-00	\$121.00	464-0121-064-00	\$121.00	464-0122-022-00	\$121.00	464-0122-074-00	\$121.00
464-0121-007-00	\$121.00	464-0121-065-00	\$121.00	464-0122-023-00	\$121.00	464-0122-075-00	\$121.00
464-0121-008-00	\$121.00	464-0121-066-00	\$121.00	464-0122-024-00	\$121.00	464-0122-076-00	\$121.00
464-0121-009-00	\$121.00	464-0121-067-00	\$121.00	464-0122-025-00	\$121.00	464-0122-077-00	\$121.00
464-0121-010-00	\$121.00	464-0121-068-00	\$121.00	464-0122-026-00	\$121.00	464-0122-078-00	\$121.00
464-0121-011-00	\$121.00	464-0121-069-00	\$121.00	464-0122-027-00	\$121.00	464-0122-079-00	\$121.00
464-0121-012-00	\$121.00	464-0121-070-00	\$121.00	464-0122-028-00	\$121.00	464-0122-080-00	\$121.00
464-0121-013-00	\$121.00	464-0121-071-00	\$121.00	464-0122-029-00	\$121.00	464-0122-081-00	\$121.00
464-0121-014-00	\$121.00	464-0121-072-00	\$121.00	464-0122-030-00	\$121.00	464-0122-082-00	\$121.00
464-0121-015-00	\$121.00	464-0121-073-00	\$121.00	464-0122-031-00	\$121.00	464-0122-083-00	\$121.00
464-0121-016-00	\$121.00	464-0121-074-00	\$121.00	464-0122-032-00	\$121.00	464-0122-084-00	\$121.00
464-0121-017-00	\$121.00	464-0121-075-00	\$121.00	464-0122-033-00	\$121.00	464-0122-085-00	\$121.00
464-0121-018-00	\$121.00	464-0121-076-00	\$121.00	464-0122-034-00	\$121.00	464-0122-086-00	\$121.00
464-0121-019-00	\$121.00	464-0121-077-00	\$121.00	464-0122-035-00	\$121.00	464-0122-087-00	\$121.00
464-0121-020-00	\$121.00	464-0121-078-00	\$121.00	464-0122-036-00	\$121.00		
464-0121-021-00	\$121.00	464-0121-080-00	\$121.00	464-0122-037-00	\$121.00	Total Parcels:	@ 175
464-0121-022-00	\$121.00	464-0121-081-00	\$121.00	464-0122-038-00	\$121.00	Total	
464-0121-023-00	\$121.00	464-0121-082-00	\$121.00	464-0122-039-00	\$121.00	Assessment:	\$21,175.00
464-0121-024-00	\$121.00	464-0121-083-00	\$121.00	464-0122-040-00	\$121.00		
464-0121-025-00	\$121.00	464-0121-084-00	\$121.00	464-0122-041-00	\$121.00		
464-0121-026-00	\$121.00	464-0121-085-00	\$121.00	464-0122-042-00	\$121.00		
464-0121-027-00	\$121.00	464-0121-086-00	\$121.00	464-0122-043-00	\$121.00		
464-0121-028-00	\$121.00	464-0121-087-00	\$121.00	464-0122-044-00	\$121.00		
464-0121-029-00	\$121.00	464-0121-088-00	\$121.00	464-0122-045-00	\$121.00		
464-0121-030-00	\$121.00	464-0121-089-00	\$121.00	464-0122-046-00	\$121.00		
464-0121-031-00	\$121.00	464-0121-090-00	\$121.00	464-0122-047-00	\$121.00		
464-0121-032-00	\$121.00	464-0121-091-00	\$121.00	464-0122-048-00	\$121.00		
464-0121-033-00	\$121.00	464-0121-092-00	\$121.00	464-0122-049-00	\$121.00		
464-0121-034-00	\$121.00	464-0121-093-00	\$121.00	464-0122-050-00	\$121.00		
464-0121-035-00	\$121.00	464-0121-094-00	\$121.00	464-0122-051-00	\$121.00		
464-0121-036-00	\$121.00	464-0121-095-00	\$121.00	464-0122-052-00	\$121.00		
464-0121-037-00	\$121.00	464-0121-096-00	\$121.00	464-0122-053-00	\$121.00		
464-0121-038-00	\$121.00	464-0122-001-00	\$121.00	464-0122-054-00	\$121.00		
464-0121-039-00	\$121.00	464-0122-003-00	\$121.00	464-0122-055-00	\$121.00		
464-0121-040-00	\$121.00	464-0122-004-00	\$121.00	464-0122-056-00	\$121.00		
464-0121-041-00	\$121.00	464-0122-005-00	\$121.00	464-0122-057-00	\$121.00		
464-0121-042-00	\$121.00	464-0122-006-00	\$121.00	464-0122-058-00	\$121.00		
464-0121-049-00	\$121.00	464-0122-007-00	\$121.00	464-0122-059-00	\$121.00		
464-0121-050-00	\$121.00	464-0122-008-00	\$121.00	464-0122-060-00	\$121.00		
464-0121-051-00	\$121.00	464-0122-009-00	\$121.00	464-0122-061-00	\$121.00		
464-0121-052-00	\$121.00	464-0122-010-00	\$121.00	464-0122-062-00	\$121.00		
464-0121-053-00	\$121.00	464-0122-011-00	\$121.00	464-0122-063-00	\$121.00		
464-0121-054-00	\$121.00	464-0122-012-00	\$121.00	464-0122-064-00	\$121.00		
464-0121-055-00	\$121.00	464-0122-013-00	\$121.00	464-0122-065-00	\$121.00		
464-0121-056-00	\$121.00	464-0122-014-00	\$121.00	464-0122-066-00	\$121.00		
464-0121-057-00	\$121.00	464-0122-015-00	\$121.00	464-0122-067-00	\$121.00		
464-0121-058-00	\$121.00	464-0122-016-00	\$121.00	464-0122-068-00	\$121.00		

Zone 05
Soto Rd. & Plum Tree St.
 FINAL ASSESSMENT ROLL
 FISCAL YEAR 2013

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

Zone 06
Peppertree Pk

FINAL ASSESSMENT ROLL
FISCAL YEAR 2013

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

Zone 07

Mission Blvd, Industrial Pkwy, Arrowhead

FINAL ASSESSMENT ROLL
FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
078G-2653-045-00	\$480.00	078G-2654-010-00	\$480.00	078G-2654-062-00	\$480.00
078G-2653-046-00	\$480.00	078G-2654-011-00	\$480.00	078G-2654-063-00	\$480.00
078G-2653-047-00	\$480.00	078G-2654-012-00	\$480.00	078G-2654-064-00	\$480.00
078G-2653-048-00	\$480.00	078G-2654-013-00	\$480.00	078G-2654-065-00	\$480.00
078G-2653-049-00	\$480.00	078G-2654-014-00	\$480.00	078G-2654-066-00	\$480.00
078G-2653-050-00	\$480.00	078G-2654-015-00	\$480.00	078G-2654-067-00	\$480.00
078G-2653-051-00	\$480.00	078G-2654-016-00	\$480.00	078G-2654-068-00	\$480.00
078G-2653-052-00	\$480.00	078G-2654-017-00	\$480.00	078G-2654-069-00	\$480.00
078G-2653-053-00	\$480.00	078G-2654-018-00	\$480.00	078G-2654-070-00	\$480.00
078G-2653-054-00	\$480.00	078G-2654-019-00	\$480.00	078G-2654-071-00	\$480.00
078G-2653-055-00	\$480.00	078G-2654-020-00	\$480.00	078G-2654-072-00	\$480.00
078G-2653-056-00	\$480.00	078G-2654-021-00	\$480.00	078G-2654-073-00	\$480.00
078G-2653-057-00	\$480.00	078G-2654-022-00	\$480.00	078G-2654-074-00	\$480.00
078G-2653-058-00	\$480.00	078G-2654-023-00	\$480.00	078G-2654-075-00	\$480.00
078G-2653-059-00	\$480.00	078G-2654-024-00	\$480.00	078G-2654-076-00	\$480.00
078G-2653-060-00	\$480.00	078G-2654-025-00	\$480.00	078G-2654-077-00	\$480.00
078G-2653-061-00	\$480.00	078G-2654-026-00	\$480.00	078G-2654-078-00	\$480.00
078G-2653-062-00	\$480.00	078G-2654-027-00	\$480.00	078G-2654-079-00	\$480.00
078G-2653-063-00	\$480.00	078G-2654-028-00	\$480.00	078G-2654-080-00	\$480.00
078G-2653-064-00	\$480.00	078G-2654-029-00	\$480.00	078G-2654-081-00	\$480.00
078G-2653-065-00	\$480.00	078G-2654-030-00	\$480.00	078G-2654-082-00	\$480.00
078G-2653-066-00	\$480.00	078G-2654-031-00	\$480.00	078G-2654-083-00	\$480.00
078G-2653-067-00	\$480.00	078G-2654-032-00	\$480.00	078G-2654-084-00	\$480.00
078G-2653-068-00	\$480.00	078G-2654-033-00	\$480.00	078G-2654-085-00	\$480.00
078G-2653-069-00	\$480.00	078G-2654-034-00	\$480.00	078G-2654-086-00	\$480.00
078G-2653-070-00	\$480.00	078G-2654-035-00	\$480.00	078G-2654-087-00	\$480.00
078G-2653-071-00	\$480.00	078G-2654-036-00	\$480.00	078G-2654-088-00	\$480.00
078G-2653-072-00	\$480.00	078G-2654-037-00	\$480.00	078G-2654-089-00	\$480.00
078G-2653-073-00	\$480.00	078G-2654-038-00	\$480.00	078G-2654-090-00	\$480.00
078G-2653-074-00	\$480.00	078G-2654-039-00	\$480.00	078G-2654-091-00	\$480.00
078G-2653-075-00	\$480.00	078G-2654-040-00	\$480.00	078G-2654-092-00	\$480.00
078G-2653-076-00	\$480.00	078G-2654-041-00	\$480.00	078G-2654-093-00	\$480.00
078G-2653-077-00	\$480.00	078G-2654-042-00	\$480.00	078G-2654-094-03	\$480.00
078G-2653-078-00	\$480.00	078G-2654-043-00	\$480.00	078G-2654-095-03	\$480.00
078G-2653-079-00	\$480.00	078G-2654-044-00	\$480.00	078G-2654-096-00	\$480.00
078G-2653-080-00	\$480.00	078G-2654-045-00	\$480.00	078G-2651-017-02	\$480.00
078G-2653-081-00	\$480.00	078G-2654-046-00	\$480.00		
078G-2653-082-00	\$480.00	078G-2654-047-00	\$480.00	Total Parcels:	@ 348
078G-2653-083-00	\$480.00	078G-2654-048-00	\$480.00		
078G-2653-084-00	\$480.00	078G-2654-049-00	\$480.00	Total	
078G-2653-085-00	\$480.00	078G-2654-050-00	\$480.00	Assessment:	\$167,040.00
078G-2653-086-00	\$480.00	078G-2654-051-00	\$480.00		
078G-2653-087-00	\$480.00	078G-2654-052-00	\$480.00		
078G-2654-001-00	\$480.00	078G-2654-053-00	\$480.00		
078G-2654-002-00	\$480.00	078G-2654-054-00	\$480.00		
078G-2654-003-00	\$480.00	078G-2654-055-00	\$480.00		
078G-2654-004-00	\$480.00	078G-2654-056-00	\$480.00		
078G-2654-005-00	\$480.00	078G-2654-057-00	\$480.00		
078G-2654-006-00	\$480.00	078G-2654-058-00	\$480.00		
078G-2654-007-00	\$480.00	078G-2654-059-00	\$480.00		
078G-2654-008-00	\$480.00	078G-2654-060-00	\$480.00		
078G-2654-009-00	\$480.00	078G-2654-061-00	\$480.00		

Zone 08
Capitola St.

FINAL ASSESSMENT ROLL
FISCAL YEAR 2013

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

Zone 09
Orchard Avenue

FINAL ASSESSMENT ROLL
 FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
444-0049-001-00	\$25.00	444-0049-053-00	\$25.00
444-0049-002-00	\$25.00	444-0049-054-00	\$25.00
444-0049-003-00	\$25.00	444-0049-055-00	\$25.00
444-0049-004-00	\$25.00	444-0049-056-00	\$25.00
444-0049-005-00	\$25.00	444-0049-057-00	\$25.00
444-0049-006-00	\$25.00	444-0049-058-00	\$25.00
444-0049-007-00	\$25.00	444-0049-059-00	\$25.00
444-0049-008-00	\$25.00	444-0049-060-00	\$25.00
444-0049-009-00	\$25.00	444-0049-061-00	\$25.00
444-0049-010-00	\$25.00	444-0049-062-00	\$25.00
444-0049-011-00	\$25.00	444-0049-063-00	\$25.00
444-0049-012-00	\$25.00	444-0049-064-00	\$25.00
444-0049-013-00	\$25.00	444-0049-065-00	\$25.00
444-0049-014-00	\$25.00	444-0049-066-00	\$25.00
444-0049-015-00	\$25.00	444-0049-067-00	\$25.00
444-0049-016-00	\$25.00	444-0049-068-00	\$25.00
444-0049-017-00	\$25.00	444-0049-069-00	\$25.00
444-0049-018-00	\$25.00	444-0049-070-00	\$25.00
444-0049-019-00	\$25.00	444-0049-071-00	\$25.00
444-0049-020-00	\$25.00	444-0049-072-00	\$25.00
444-0049-021-00	\$25.00	444-0049-073-00	\$25.00
444-0049-022-00	\$25.00	444-0049-074-00	\$25.00
444-0049-023-00	\$25.00		
444-0049-024-00	\$25.00	Total Parcels:	@ 74
444-0049-025-00	\$25.00	Total	
444-0049-026-00	\$25.00	Assessment:	\$1,850.00
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		

Zone 10
Eden Shores

FINAL ASSESSMENT ROLL
 FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
461-0102-026-00	\$300.00	461-0103-016-00	\$300.00	461-0103-068-00	\$300.00
461-0102-027-00	\$300.00	461-0103-017-00	\$300.00	461-0103-069-00	\$300.00
461-0102-028-00	\$300.00	461-0103-018-00	\$300.00	461-0103-070-00	\$300.00
461-0102-029-00	\$300.00	461-0103-019-00	\$300.00	461-0103-071-00	\$300.00
461-0102-030-00	\$300.00	461-0103-020-00	\$300.00	461-0103-072-00	\$300.00
461-0102-031-00	\$300.00	461-0103-021-00	\$300.00	461-0103-073-00	\$300.00
461-0102-032-00	\$300.00	461-0103-022-00	\$300.00	461-0103-074-00	\$300.00
461-0102-033-00	\$300.00	461-0103-023-00	\$300.00	461-0103-075-00	\$300.00
461-0102-034-00	\$300.00	461-0103-024-00	\$300.00	461-0103-076-00	\$300.00
461-0102-035-00	\$300.00	461-0103-025-00	\$300.00	461-0103-077-00	\$300.00
461-0102-036-00	\$300.00	461-0103-026-00	\$300.00	461-0103-078-00	\$300.00
461-0102-037-00	\$300.00	461-0103-027-00	\$300.00	461-0103-079-00	\$300.00
461-0102-038-00	\$300.00	461-0103-028-00	\$300.00	461-0103-080-00	\$300.00
461-0102-039-00	\$300.00	461-0103-029-00	\$300.00	461-0103-081-00	\$300.00
461-0102-040-00	\$300.00	461-0103-030-00	\$300.00		
461-0102-041-00	\$300.00	461-0103-031-00	\$300.00	Total Parcels:	@ 534
461-0102-042-00	\$300.00	461-0103-032-00	\$300.00		
461-0102-043-00	\$300.00	461-0103-033-00	\$300.00	Total	
461-0102-044-00	\$300.00	461-0103-034-00	\$300.00	Assessment:	\$1 60,200.00
461-0102-045-00	\$300.00	461-0103-035-00	\$300.00		
461-0102-046-00	\$300.00	461-0103-036-00	\$300.00		
461-0102-047-00	\$300.00	461-0103-037-00	\$300.00		
461-0102-048-00	\$300.00	461-0103-038-00	\$300.00		
461-0102-049-00	\$300.00	461-0103-039-00	\$300.00		
461-0102-050-00	\$300.00	461-0103-040-00	\$300.00		
461-0102-051-00	\$300.00	461-0103-041-00	\$300.00		
461-0102-052-00	\$300.00	461-0103-042-00	\$300.00		
461-0102-053-00	\$300.00	461-0103-043-00	\$300.00		
461-0102-054-00	\$300.00	461-0103-044-00	\$300.00		
461-0102-055-00	\$300.00	461-0103-045-00	\$300.00		
461-0102-056-00	\$300.00	461-0103-046-00	\$300.00		
461-0102-057-00	\$300.00	461-0103-047-00	\$300.00		
461-0102-058-00	\$300.00	461-0103-048-00	\$300.00		
461-0102-059-00	\$300.00	461-0103-049-00	\$300.00		
461-0102-060-00	\$300.00	461-0103-050-00	\$300.00		
461-0102-061-00	\$300.00	461-0103-051-00	\$300.00		
461-0102-062-00	\$300.00	461-0103-052-00	\$300.00		
461-0102-063-00	\$300.00	461-0103-053-00	\$300.00		
461-0102-064-00	\$300.00	461-0103-054-00	\$300.00		
461-0102-065-00	\$300.00	461-0103-055-00	\$300.00		
461-0103-004-00	\$300.00	461-0103-056-00	\$300.00		
461-0103-005-00	\$300.00	461-0103-057-00	\$300.00		
461-0103-006-00	\$300.00	461-0103-058-00	\$300.00		
461-0103-007-00	\$300.00	461-0103-059-00	\$300.00		
461-0103-008-00	\$300.00	461-0103-060-00	\$300.00		
461-0103-009-00	\$300.00	461-0103-061-00	\$300.00		
461-0103-010-00	\$300.00	461-0103-062-00	\$300.00		
461-0103-011-00	\$300.00	461-0103-063-00	\$300.00		
461-0103-012-00	\$300.00	461-0103-064-00	\$300.00		
461-0103-013-00	\$300.00	461-0103-065-00	\$300.00		
461-0103-014-00	\$300.00	461-0103-066-00	\$300.00		
461-0103-015-00	\$300.00	461-0103-067-00	\$300.00		

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

Zone II
Stonebrae LLAD

FINAL ASSESSMENT ROLL
FISCAL YEAR 2013

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-6431-100-00	\$344.92	085A-6432-051-00	\$180.18	085A-6433-014-00	\$344.92	085A-6434-013-00	\$180.18
085A-6431-101-00	\$344.92	085A-6432-052-00	\$180.18	085A-6433-015-00	\$344.92	085A-6434-014-00	\$180.18
085A-6431-102-00	\$344.92	085A-6432-053-00	\$180.18	085A-6433-016-00	\$344.92		
085A-6431-103-00	\$344.92	085A-6432-054-00	\$180.18	085A-6433-017-00	\$344.92	Total Parcels:	@ 366
085A-6431-104-00	\$344.92	085A-6432-055-00	\$180.18	085A-6433-018-00	\$344.92	Total	
085A-6431-105-00	\$344.92	085A-6432-056-00	\$180.18	085A-6433-019-00	\$344.92	Assessment:	\$146,142.54
085A-6428-027-00	\$7,927.92	085A-6432-057-00	\$180.18	085A-6433-020-00	\$344.92		
085A-6432-006-00	\$180.18	085A-6432-058-00	\$180.18	085A-6433-021-00	\$344.92		
085A-6432-007-00	\$180.18	085A-6432-059-00	\$180.18	085A-6433-022-00	\$344.92		
085A-6432-008-00	\$180.18	085A-6432-060-00	\$180.18	085A-6433-023-00	\$344.92		
085A-6432-009-00	\$180.18	085A-6432-061-00	\$180.18	085A-6433-024-00	\$344.92		
085A-6432-010-00	\$180.18	085A-6432-062-00	\$180.18	085A-6433-025-00	\$344.92		
085A-6432-011-00	\$180.18	085A-6432-063-00	\$180.18	085A-6433-026-00	\$344.92		
085A-6432-012-00	\$180.18	085A-6432-064-00	\$180.18	085A-6433-027-00	\$344.92		
085A-6432-013-00	\$180.18	085A-6432-065-00	\$180.18	085A-6433-028-00	\$344.92		
085A-6432-014-00	\$180.18	085A-6432-066-00	\$344.92	085A-6433-029-00	\$344.92		
085A-6432-015-00	\$180.18	085A-6432-067-00	\$344.92	085A-6433-030-00	\$344.92		
085A-6432-016-00	\$180.18	085A-6432-068-00	\$344.92	085A-6433-031-00	\$344.92		
085A-6432-017-00	\$180.18	085A-6432-069-00	\$344.92	085A-6433-032-00	\$344.92		
085A-6432-018-00	\$180.18	085A-6432-070-00	\$344.92	085A-6433-033-00	\$344.92		
085A-6432-019-00	\$180.18	085A-6432-071-00	\$344.92	085A-6433-034-00	\$344.92		
085A-6432-020-00	\$180.18	085A-6432-072-00	\$344.92	085A-6433-035-00	\$344.92		
085A-6432-021-00	\$180.18	085A-6432-073-00	\$344.92	085A-6433-036-00	\$344.92		
085A-6432-022-00	\$180.18	085A-6432-074-00	\$344.92	085A-6433-037-00	\$344.92		
085A-6432-023-00	\$180.18	085A-6432-075-00	\$344.92	085A-6433-038-00	\$180.18		
085A-6432-024-00	\$180.18	085A-6432-076-00	\$344.92	085A-6433-039-00	\$180.18		
085A-6432-025-00	\$180.18	085A-6432-077-00	\$344.92	085A-6433-040-00	\$180.18		
085A-6432-026-00	\$180.18	085A-6432-078-00	\$344.92	085A-6433-041-00	\$180.18		
085A-6432-027-00	\$180.18	085A-6432-079-00	\$344.92	085A-6433-042-00	\$180.18		
085A-6432-028-00	\$180.18	085A-6432-080-00	\$344.92	085A-6433-043-00	\$180.18		
085A-6432-029-00	\$180.18	085A-6432-081-00	\$344.92	085A-6433-044-00	\$180.18		
085A-6432-030-00	\$180.18	085A-6432-082-00	\$344.92	085A-6433-045-00	\$180.18		
085A-6432-031-00	\$344.92	085A-6432-083-00	\$344.92	085A-6433-046-00	\$180.18		
085A-6432-032-00	\$344.92	085A-6432-084-00	\$344.92	085A-6433-047-00	\$180.18		
085A-6432-033-00	\$344.92	085A-6432-085-00	\$344.92	085A-6433-048-00	\$180.18		
085A-6432-034-00	\$344.92	085A-6432-086-00	\$344.92	085A-6433-049-00	\$180.18		
085A-6432-035-00	\$344.92	085A-6432-087-00	\$180.18	085A-6433-050-00	\$180.18		
085A-6432-036-00	\$344.92	085A-6432-088-00	\$180.18	085A-6433-051-00	\$180.18		
085A-6432-037-00	\$344.92	085A-6432-089-00	\$180.18	085A-6433-052-00	\$180.18		
085A-6432-038-00	\$344.92	085A-6432-090-00	\$180.18	085A-6428-031-00	\$16,576.56		
085A-6432-039-00	\$180.18	085A-6433-002-00	\$344.92	085A-6434-001-00	\$10,270.26		
085A-6432-040-00	\$180.18	085A-6433-003-00	\$344.92	085A-6434-002-00	\$180.18		
085A-6432-041-00	\$180.18	085A-6433-004-00	\$344.92	085A-6434-003-00	\$180.18		
085A-6432-042-00	\$180.18	085A-6433-005-00	\$344.92	085A-6434-004-00	\$180.18		
085A-6432-043-00	\$180.18	085A-6433-006-00	\$344.92	085A-6434-005-00	\$180.18		
085A-6432-044-00	\$180.18	085A-6433-007-00	\$344.92	085A-6434-006-00	\$180.18		
085A-6432-045-00	\$180.18	085A-6433-008-00	\$344.92	085A-6434-007-00	\$180.18		
085A-6432-046-00	\$180.18	085A-6433-009-00	\$344.92	085A-6434-008-00	\$180.18		
085A-6432-047-00	\$180.18	085A-6433-010-00	\$344.92	085A-6434-009-00	\$180.18		
085A-6432-048-00	\$180.18	085A-6433-011-00	\$344.92	085A-6434-010-00	\$180.18		
085A-6432-049-00	\$180.18	085A-6433-012-00	\$344.92	085A-6434-011-00	\$180.18		
085A-6432-050-00	\$180.18	085A-6433-013-00	\$344.92	085A-6434-012-00	\$180.18		

Zone 12
Eden Shores East

FINAL ASSESSMENT ROLL
 FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount
456-0098-101-00	\$175.08
456-0098-103-00	\$175.08
456-0098-104-00	\$175.08
456-0098-105-00	\$175.08
456-0098-106-00	\$175.08
456-0098-107-00	\$175.08
456-0098-108-00	\$175.08
456-0098-110-00	\$175.08
456-0098-111-00	\$175.08
456-0098-112-00	\$175.08
456-0098-113-00	\$175.08
456-0098-114-00	\$175.08
456-0098-115-00	\$175.08
456-0098-117-00	\$175.08
456-0098-118-00	\$175.08
456-0098-119-00	\$175.08
456-0098-120-00	\$175.08
456-0098-121-00	\$175.08
456-0098-122-00	\$175.08
456-0098-124-00	\$175.08
456-0098-125-00	\$175.08
456-0098-126-00	\$175.08
456-0098-127-00	\$175.08
456-0098-128-00	\$175.08
456-0098-129-00	\$175.08
456-0098-131-00	\$175.08
456-0098-132-00	\$175.08
456-0098-133-00	\$175.08
456-0098-134-00	\$175.08
456-0098-135-00	\$175.08
456-0098-136-00	\$175.08
456-0098-138-00	\$175.08
456-0098-139-00	\$175.08
456-0098-140-00	\$175.08
456-0098-141-00	\$175.08
456-0098-143-00	\$175.08
456-0098-144-00	\$175.08
456-0098-145-00	\$175.08
456-0098-146-00	\$175.08
456-0098-147-00	\$175.08
456-0098-148-00	\$175.08
456-0098-150-00	\$175.08
456-0098-151-00	\$175.08
456-0098-152-00	\$175.08
456-0098-153-00	\$175.08
456-0098-154-00	\$175.08
456-0098-155-00	\$175.08
456-0098-157-00	\$175.08
456-0098-158-00	\$175.08
456-0098-159-00	\$175.08
456-0098-160-00	\$175.08
456-0098-161-00	\$175.08

Assessor's Parcel Number	Assessment Amount
456-0098-162-00	\$175.08
Total Parcels:	@ 261
Total Assessment:	\$45,695.88

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

Zone 13
Cannery Place

FINAL ASSESSMENT ROLL
FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount						
431-0109-005-00	\$9,450.00	431-0108-113-00	\$150.00	431-0112-099-00	\$150.00	431-0114-066-00	\$150.00
431-0108-037-00	\$750.00	431-0108-114-00	\$150.00	431-0112-063-00	\$150.00	431-0114-067-00	\$150.00
431-0108-038-00	\$900.00	431-0108-115-00	\$150.00	431-0112-064-00	\$150.00	431-0114-069-00	\$150.00
431-0108-045-00	\$900.00	431-0108-116-00	\$150.00	431-0112-065-00	\$150.00	431-0114-070-00	\$150.00
431-0108-046-00	\$900.00	431-0108-117-00	\$150.00	431-0112-066-00	\$150.00	431-0114-071-00	\$150.00
431-0108-053-00	\$900.00	431-0108-118-00	\$150.00	431-0112-067-00	\$150.00	431-0114-072-00	\$150.00
431-0108-054-00	\$750.00	431-0108-119-00	\$150.00	431-0112-068-00	\$150.00	431-0114-044-00	\$150.00
431-0108-055-00	\$1,500.00	431-0108-121-00	\$150.00	431-0112-069-00	\$150.00	431-0114-045-00	\$150.00
431-0108-058-00	\$150.00	431-0108-122-00	\$150.00	431-0112-070-00	\$150.00	431-0114-046-00	\$150.00
431-0108-059-00	\$150.00	431-0108-123-00	\$150.00	431-0112-054-00	\$150.00	431-0114-048-00	\$150.00
431-0108-060-00	\$150.00	431-0108-124-00	\$150.00	431-0112-055-00	\$150.00	431-0114-049-00	\$150.00
431-0108-061-00	\$150.00	431-0108-125-00	\$150.00	431-0112-056-00	\$150.00	431-0114-050-00	\$150.00
431-0108-062-00	\$150.00	431-0108-126-00	\$150.00	431-0112-057-00	\$150.00	431-0114-051-00	\$150.00
431-0108-063-00	\$150.00	431-0108-102-00	\$150.00	431-0112-058-00	\$150.00	431-0114-053-00	\$150.00
431-0108-064-00	\$150.00	431-0108-103-00	\$150.00	431-0112-059-00	\$150.00	431-0114-054-00	\$150.00
431-0108-065-00	\$150.00	431-0108-104-00	\$150.00	431-0112-060-00	\$150.00	431-0114-055-00	\$150.00
431-0108-066-00	\$150.00	431-0108-105-00	\$150.00	431-0112-061-00	\$150.00	431-0114-056-00	\$150.00
431-0108-067-00	\$150.00	431-0108-106-00	\$150.00	431-0112-040-00	\$150.00	431-0114-010-01	\$750.00
431-0108-068-00	\$150.00	431-0108-107-00	\$150.00	431-0112-041-00	\$150.00	431-0114-058-00	\$150.00
431-0108-069-00	\$150.00	431-0108-108-00	\$150.00	431-0112-042-00	\$150.00	431-0114-059-00	\$150.00
431-0108-070-00	\$150.00	431-0108-091-00	\$150.00	431-0112-043-00	\$150.00	431-0114-060-00	\$150.00
431-0108-071-00	\$150.00	431-0108-092-00	\$150.00	431-0112-044-00	\$150.00	431-0114-061-00	\$150.00
431-0108-072-00	\$150.00	431-0108-093-00	\$150.00	431-0112-045-00	\$150.00	431-0114-013-01	\$1,500.00
431-0108-073-00	\$150.00	431-0108-094-00	\$150.00	431-0112-047-00	\$150.00	431-0114-014-01	\$1,350.00
431-0112-026-00	\$1,200.00	431-0108-095-00	\$150.00	431-0112-048-00	\$150.00	431-0108-128-00	\$150.00
431-0112-027-00	\$1,200.00	431-0108-096-00	\$150.00	431-0112-049-00	\$150.00	431-0108-129-00	\$150.00
431-0112-028-00	\$900.00	431-0108-097-00	\$150.00	431-0112-050-00	\$150.00	431-0108-130-00	\$150.00
431-0113-017-00	\$900.00	431-0108-098-00	\$150.00	431-0112-051-00	\$150.00	431-0108-131-00	\$150.00
431-0114-008-00	\$900.00	431-0108-099-00	\$150.00	431-0112-052-00	\$150.00	431-0108-132-00	\$150.00
431-0114-009-00	\$750.00	431-0108-100-00	\$150.00	431-0112-072-00	\$150.00	431-0108-133-00	\$150.00
431-0114-011-00	\$600.00	431-0108-074-00	\$150.00	431-0112-073-00	\$150.00	431-0108-134-00	\$150.00
431-0114-015-00	\$900.00	431-0108-075-00	\$150.00	431-0112-074-00	\$150.00	431-0108-135-00	\$150.00
431-0108-034-02	\$750.00	431-0108-076-00	\$150.00	431-0112-075-00	\$150.00	431-0108-136-00	\$150.00
431-0108-041-01	\$1,050.00	431-0108-077-00	\$150.00	431-0112-076-00	\$150.00	431-0108-137-00	\$150.00
431-0112-031-00	\$150.00	431-0108-078-00	\$150.00	431-0112-077-00	\$150.00	431-0108-139-00	\$150.00
431-0112-032-00	\$150.00	431-0108-079-00	\$150.00	431-0112-078-00	\$150.00	431-0108-140-00	\$150.00
431-0112-033-00	\$150.00	431-0108-080-00	\$150.00	431-0112-079-00	\$150.00	431-0108-141-00	\$150.00
431-0112-034-00	\$150.00	431-0108-081-00	\$150.00	431-0112-080-00	\$150.00	431-0108-142-00	\$150.00
431-0112-035-00	\$150.00	431-0108-082-00	\$150.00	431-0112-082-00	\$150.00	431-0108-143-00	\$150.00
431-0112-036-00	\$150.00	431-0108-083-00	\$150.00	431-0112-083-00	\$150.00	431-0108-144-00	\$150.00
431-0112-037-00	\$150.00	431-0108-085-00	\$150.00	431-0112-084-00	\$150.00	431-0108-145-00	\$150.00
431-0112-038-00	\$150.00	431-0108-086-00	\$150.00	431-0112-085-00	\$150.00	431-0112-101-00	\$150.00
431-0114-035-00	\$150.00	431-0108-087-00	\$150.00	431-0112-086-00	\$150.00	431-0112-102-00	\$150.00
431-0114-036-00	\$150.00	431-0108-088-00	\$150.00	431-0112-087-00	\$150.00	431-0112-103-00	\$150.00
431-0114-037-00	\$150.00	431-0108-089-00	\$150.00	431-0112-088-00	\$150.00	431-0112-104-00	\$150.00
431-0114-039-00	\$150.00	431-0112-092-00	\$150.00	431-0112-089-00	\$150.00	431-0112-105-00	\$150.00
431-0114-040-00	\$150.00	431-0112-093-00	\$150.00	431-0112-090-00	\$150.00	431-0112-106-00	\$150.00
431-0114-041-00	\$150.00	431-0112-094-00	\$150.00	431-0113-020-01	\$1,350.00	431-0112-107-00	\$150.00
431-0114-042-00	\$150.00	431-0112-095-00	\$150.00	431-0113-021-01	\$1,200.00	431-0112-108-00	\$150.00
431-0108-110-00	\$150.00	431-0112-096-00	\$150.00	431-0114-063-00	\$150.00	431-0112-109-00	\$150.00
431-0108-111-00	\$150.00	431-0112-097-00	\$150.00	431-0114-064-00	\$150.00	431-0112-111-00	\$150.00
431-0108-112-00	\$150.00	431-0112-098-00	\$150.00	431-0114-065-00	\$150.00	431-0112-112-00	\$150.00

City of Hayward
 Landscaping & Lighting District No. 96-1
Zone 13

FINAL ASSESSMENT ROLL
 FISCAL YEAR 2013

Assessor's Parcel Number	Assessment Amount
431-0112-113-00	\$150.00
431-0112-114-00	\$150.00
431-0112-115-00	\$150.00
431-0112-116-00	\$150.00
431-0112-117-00	\$150.00
431-0112-118-00	\$150.00
431-0112-119-00	\$150.00
431-0113-022-00	\$150.00
431-0113-023-00	\$150.00
431-0113-024-00	\$150.00
431-0113-025-00	\$150.00
431-0113-026-00	\$150.00
431-0113-027-00	\$150.00
431-0113-028-00	\$150.00
431-0113-030-00	\$150.00
431-0113-031-00	\$150.00
431-0113-032-00	\$150.00
431-0113-033-00	\$150.00
431-0113-034-00	\$150.00
431-0113-035-00	\$150.00
431-0113-036-00	\$150.00
431-0113-038-00	\$150.00
431-0113-039-00	\$150.00
431-0113-040-00	\$150.00
431-0113-041-00	\$150.00
431-0113-042-00	\$150.00
431-0113-043-00	\$150.00
431-0113-044-00	\$150.00
431-0113-045-00	\$150.00
431-0113-046-00	\$150.00
431-0113-047-00	\$150.00
431-0113-048-00	\$150.00
431-0113-050-00	\$150.00
431-0113-051-00	\$150.00
431-0113-052-00	\$150.00
431-0113-053-00	\$150.00
431-0113-054-00	\$150.00
431-0113-055-00	\$150.00
431-0113-056-00	\$150.00
431-0113-057-00	\$150.00
431-0113-058-00	\$150.00
431-0113-059-00	\$150.00
Total Parcels:	@ 250
Total Assessment:	\$65,400.00

CITY OF HAYWARD LANDSCAPE & LIGHTING
ASSESSMENT DISTRICT NO. 96-1, FISCAL YEAR 2013

Fund 833 - Zone 3 - Fiscal Year 2013 Hayward Boulevard & Fairview Avenue		PLC's Original Budget Proposal
	Fiscal Year 2013 Budget	Fiscal Year 2013 Budget
Number of Assessable Parcels	155	
Beginning Balance of Fiscal Year (July 1, 2012) - Capital Reserves	\$144,148.76	\$ 144,148.76
REVENUE		
Annual Assessment Fee (155 Assessable Parcels)	\$121,241.00	\$121,241.00
County Collection Fee (1.7%)	(\$2,061.10)	(\$2,061.10)
Net Revenue	\$119,179.90	\$119,179.90
Total Available	\$263,328.67	\$ 263,328.67
EXPENDITURE		
<u>I. MAINTENANCE & UTILITY</u>		
<u>I. Maintenance & Utility</u>		
(a) Utilities: Irrigation water and electrical energy	\$24,000.00	\$29,000.00
(b) Capital Project: Calsense Water Conservation Project, and other improvements on Fox Hollow and Hayward Boulevard	\$86,000.00	\$52,000.00
(c) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$49,000.00	\$49,000.00
Subtotal I:	\$159,000.00	\$ 130,000.00
<u>II. Supplies & Services</u>		
(a) Special Services	\$2,595.00	\$2,595.00
(b) Supplies: printing, postage and publishing	\$1,000.00	\$1,000.00
Subtotal II:	\$3,595.00	\$ 3,595.00
<u>III. Administrative Services</u>		
(a) Administration	\$10,000.00	\$10,000.00
Subtotal III:	\$10,000.00	\$ 10,000.00
Total Expense (Sum of I, II and III)	\$172,595.00	\$ 143,595.00
Ending Balance of Fiscal Year (June 30, 2013) - Capital Reserves	\$90,733.67	\$ 119,733.67
Withdraw from Reserves	(\$53,415.10)	(\$24,415.09)
RESERVE DETAIL		
Required Working Capital from Capital Reserves for first six months of fiscal year (50% of Total Expense) ¹	\$86,297.50	\$71,797.50
Anticipated Capital Reserves at the end of Fiscal Year	\$90,733.67	\$ 119,733.67
Collection per Parcel	\$782.20	\$782.20
Base Assessment per Parcel	\$782.20	\$782.20
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.		
Capital Reserve funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, or vandalism, etc.		



DATE: June 12, 2012

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Denial of a Proposed Walmart Market Grocery Store at the 34,000-square-foot Building Formerly Occupied by Circuit City at 2480 Whipple Road

RECOMMENDATION

That the City Council adopts the attached resolution (Attachment I) denying, without prejudice, a proposed 34,000 square foot Walmart grocery store in the former Circuit City building space at 2480 Whipple Road.

BACKGROUND/DISCUSSION

At a public hearing on May 22, 2012, the City Council voted four to three to deny a proposed Walmart grocery store at 2480 Whipple Road, and directed staff to return to Council with findings for denial. The Council concluded that the proposed market would not serve a regional or sub-regional marketing base, as required by the Zoning Ordinance on this 5.14-acre property in the Industrial Zoning District. The attached resolution incorporates testimony and direction from the City Council at the May 22 public hearing.

The minutes from the May 22 meeting are included as Attachment II to this report, and the May 22 staff report and attachments are available on the City's website as item number 8 on the meeting agenda at: <http://www.hayward-ca.gov/citygov/meetings/cca/2012/CCA12PDF/cca052212full.pdf>.

Prepared and Recommended by: David Rizk, Development Services Director

Approved by:

Fran David, City Manager

Attachments

Attachment I: Resolution
Attachment II: May 22, 2012 City Council meeting minutes

HAYWARD CITY COUNCIL

RESOLUTION NO. 12-

Introduced by Council Member _____

RESOLUTION DENYING A PROPOSED 34,000 SQUARE
FOOT WALMART MARKET GROCERY STORE AT 2480
WHIPPLE ROAD IN THE FORMER CIRCUIT CITY STORE
SPACE

WHEREAS, the City Council, on April 20, 2004, conditionally and unanimously approved a new 45,100 square foot retail center at 2480 Whipple Road, which included a Circuit City store as the main tenant, by approving Conditional Use Permit No. 2004-0039 and adopting a related Mitigated Negative Declaration/Initial Study; and

WHEREAS, after operating since 2005, the Circuit City store ceased operations in 2009 and vacated the site it had occupied; and

WHEREAS, on March 23, 2011, a building permit application for tenant improvements was submitted in association with a proposed grocery store at 2480 Whipple Road in the approximately 34,000 square foot former Circuit City store building; and

WHEREAS, because retail uses at the site are required by the City's Zoning Ordinance to serve a regional or subregional marketing base, the City's Planning Director requested in a letter dated May 27, 2011 that the grocer be identified and a business plan for the proposed grocery store be submitted; and

WHEREAS, in response to the May 27, 2011 letter, a letter dated December 14, 2011 from Walmart's legal counsel, Judy V. Davidoff of Shepphard, Mullin, Richter & Hampton, LLP, and a letter dated December 21, 2011 from the property owner's legal counsel, Kristina Lawson of Manatt, Phelps & Phillips, LLP, were submitted, identifying Walmart as the grocery store and providing a business plan and description of the proposed store's operations; and

WHEREAS, after consideration of the submitted information and in reliance on the 2004 Mitigation Negative Declaration and Initial Study and analysis by the City's Transportation Planning staff, the Planning Director issued a letter dated January 19, 2012, approving the proposed Walmart market, upon determining that such use would serve a regional or sub-regional marketing base and would be consistent with the conditional use permit approved

in 2004 for the shopping center, and would not generate environmental impacts requiring additional environmental impact analysis; and

WHEREAS, an appeal to the Planning Commission of the Planning Director's decision was filed on February 3, 2012, by John Nunes of United Food and Commercial Workers Local Union 5 and Desirae Schmidt, a resident of unincorporated Cherryland and an employee of UFCW Local Union 5; and

WHEREAS, on April 5, 2012, a duly noticed public hearing before the Planning Commission was held, and after hearing testimony from nearly fifty speakers, the Planning Commission voted four to three to deny the proposed Walmart market and uphold the appeal; and

WHEREAS, an appeal from the Planning Commission's decision was filed by Hayward resident Jerry Higgins and several others, and property owner Daniel Temkin of Hayward 880, LLC; and

WHEREAS, a duly noticed public hearing was held before the Hayward City Council on May 22, 2012, during which public testimony was received; and

WHEREAS, the Hayward City Council during the May 22, 2012 public hearing voted four to three to deny the proposed project and directed City staff to return to Council with findings for denial; and

WHEREAS, City staff presented findings for denial to the Hayward City Council during a noticed public hearing on June 12, 2012.

NOW, THEREFORE, the City Council hereby denies without prejudice the proposed Walmart market grocery store, based on the following findings:

California Environmental Quality Act (CEQA) Determination

1. The project is exempt from the provisions of the California Environmental Quality Act guidelines pursuant to Section 15270 (a), *Projects that are Disapproved*.

Regional and/or Sub-regional Use Determination

2. The proposed Walmart Market does not meet the Zoning Ordinance requirement that limits retail sales to "sale of retail goods with a regional or sub-regional marketing base," because most of the customers anticipated for the market would come from residential neighborhoods in Union City and Hayward to the east, and not from Interstate 880.
3. The April 20, 2004 City Council staff report related to Conditional Use Permit Number PL-2004-0039 for the Circuit City store and the associated retail center observed that "...the site is as a prime location for regional or sub-regional retailers due to its location at the junction

of two arterial roadways, access to the Nimitz Freeway (I-880), and high visibility...”
Because the evidence indicates that the customer base of the proposed market will come from the surrounding residential neighborhoods, rather than utilizing the site’s proximity to Interstate 880 and high visibility to draw from the broader region, the proposed market does not meet the regional and/or sub-regional requirement.

- 4. The immediate area is currently served by ten grocery stores, including grocery stores like Lucky’s and Food Maxx that are substantially larger than the proposed 34,000 square foot market, which reduces the chances that the proposed market would draw from a regional or sub-regional marketing base.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2012

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 CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, May 22, 2012, 7:00 p.m.**

PUBLIC HEARING

8. Appeal of the Planning Commission's Determination that a Proposed Walmart Market Grocery Store at a Building Formerly Occupied by Circuit City is not a Permitted Use Consistent with Conditional Use Permit No. PL-2004-0039 and the Proposed Grocery Store is not Consistent with the Previous Use in Terms of Potential for Generating Significant Environmental Impacts

Staff report submitted by Development Services Director Rizk, dated May 22, 2012, was filed.

Council Member Henson disclosed having met with members of labor organizations and with the owner of the Circuit City property, Daniel Temkin.

Council Member Salinas disclosed having met with Daniel Temkin, Walmart representatives, and members of United Food and Commercial Workers (UFCW) Local Union 5.

Council Member Peixoto disclosed having met with Daniel Temkin, Walmart representatives, and members of various labor union groups.

Council Member Halliday disclosed having met with Daniel Temkin, and Mike Henneberry of UFCW Local Union 5. Ms. Halliday also noted she was a Council candidate and did not solicit or accept any campaign contributions from any of the major parties involved, but accepted contributions from members of the public such as appellant Barbara Sacks. She added that she was advised by the City Attorney that she did not have to recuse herself from participation on the hearing.

Council Member Quirk disclosed he did not receive a request to meet with Daniel Temkin, but spoke with UFCW Local Union 5 representatives by telephone. Mr. Quirk noted he received financial contributions from individuals on both sides of the matter and a copy of his Campaign Statement would be available on the filing date, May 24, 2012. He referred to the letter submitted by Barbara Sacks and indicated that he had asked members at the Hayward Demos meeting and other members of the public to attend the public meetings. He added that he would base his decision on whether the proposed site was a regional or sub-regional use and not on who the applicant was.

Council Member Zermeño disclosed having met with Daniel Temkin, Walmart representatives, and labor members and leaders. Mr. Zermeño noted he did not receive contributions from any of the parties involved, but received contributions from the Hayward Demos and endorsements from labor unions.

Mayor Sweeney disclosed having met with two Walmart representatives, Daniel Temkin, John Nunes, and Mike Henneberry of UFCW Local Union 5. Mayor Sweeney added that at the beginning of the meeting he had met with the City Attorney, Daniel Temkin, and John Nunes to set ground rules. Both parties and their attorneys would be allowed to speak for five minutes each, and then all other speakers would be allowed to speak for two minutes each. There was Council consensus with the ground rules.

Development Services Director Rizk provided a synopsis of the staff report. Mr. Rizk noted that Council was provided with additional correspondence from the public both in favor and against the proposal; a letter from Mark Wolfe with M.R. Wolfe & Associates, representing UFCW Local Union 5; and a letter from Kristina Lawson, representing Daniel Temkin and 880 LLC.

Development Services Director Rizk provided the staff's recommendation and added that if Council determined that the proposed Walmart Market grocery store was not consistent with the requirement of the Zoning Ordinance that limits retail uses at this site involving "the sale of retail goods with a regional or sub-regional marketing base," then the Council could direct staff to come back with findings for denial.

In response to Council Member Peixoto's question if Walmart had lost interest in occupying the proposed site, Development Services Director Rizk noted he was not aware of any changes and the hearing was being held at the request of the site's property owner, Daniel Temkin. Mr. Peixoto asked if the 2004 Conditional Use Permit (CUP) PL-2004-0039 was null and void, according to Section 10-1.3270 of the Zoning Ordinance. City Attorney Lawson noted there were state and federal constitutional provisions that override the Hayward Municipal Code, and if a use terminated for some reason, the CUP did not automatically default to a revoked status and the City would have to take action to revoke the CUP. Mr. Peixoto expressed concern about the negative elements that a grocery store would generate at the proposed site including increased traffic issues, air quality issues, and compliance with the regional or sub-regional marketing base.

Council Member Henson noted the "regional or sub-regional marketing base" needed to be clarified and defined. Mr. Henson expressed concern about the impact a grocery market would have on the traffic patterns at Whipple/Industrial Parkway. He pointed out that there would be significant loss of sales tax revenue with a grocery store, which would generate approximately \$32,000 per year as opposed to approximately \$200,000 per year from a store like Circuit City where all products were taxable.

Council Member Salinas suggested that Council hold the item over until staff returned to Council with the definition of a regional or sub-regional marketing base.

Council Member Quirk expressed concern that the proposed grocery store use did not take advantage of the freeway access and would not be a sales tax generating use. Mr. Quirk wanted to hear from the proponent as to why this was an appropriate use for the proposed site.



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, May 22, 2012, 7:00 p.m.**

Council Member Halliday expressed concern that no additional conditions of approval were necessary for the proposal including the sale of alcohol, security conditions, and hours of operation. Ms. Halliday addressed sales and property tax revenue from the proposal.

Council Member Zermeño said he was uncomfortable making a decision when regional and sub-regional marketing base was not defined.

Mayor Sweeney opened the public hearing at 9:01 p.m.

Ms. Kristina Lawson, with Manatt, Phelps, & Phillips, LLP, and attorney representing Daniel Temkin and Hayward 880, LLC, noted the issue before Council was to determine if the proposed grocery store use was consistent with zoning requirements and the existing conditional use permit. Ms. Lawson added that Council needed to determine if the proposed use involved the sale of retail goods with a regional or sub-regional marketing base. She added that the City's precedent indicated that the grocery use would be consistent with the zoning requirements. Ms. Lawson urged Council to support staff's recommendation.

Mr. Daniel Temkin, property owner of the former Circuit City at 2480 Whipple Road and managing member of 880 LLC, in Washington, submitted two documents for the record: Land Use Compliance and Census 2010 Summary Profile, and thanked staff for their professionalism and the community for its support. Mr. Temkin referred to a May 14, 2012, newspaper article from the San Diego Daily Transcript, "Wal-Mart announces plans for second Neighborhood Market in county," which noted the opening of a WalMart in La Mesa and how it would generate economic activity for neighboring businesses. He added that Walmart markets were successfully filling up vacant store sites throughout California. He referred to a letter from John Nunes regarding a moratorium on supermarkets. Mr. Temkin urged Council to make a decision by following the land-use law and mentioned the definition of regional and sub-regional had been defined in the document he submitted for the record. Mr. Temkin responded to questions posed by Council members.

Mr. John Nunes, Livermore resident and representing UFCW Local Union 5 and its Hayward members, noted that a neighborhood market use did not comply with the industrial regional use. Mr. Nunes mentioned that a supermarket would generate more environmental impacts than the former Circuit City including traffic impacts, increase noise levels, and air quality impacts. Mr. Nunes suggested that the applicant be required to obtain a new conditional use permit and complete additional environmental review. He cited Section 10-1.3270 of the Zoning Ordinance and noted that the conditional use permit was a discontinued use because the proposed site had been vacant since 2009. Mr. Nunes urged Council to deny the appeal and uphold the Planning Commission's decision. Mr. Nunes responded to questions posed by Council members.

Mr. Marc Wolfe, San Francisco attorney and representing UFCW Local Union 5, urged Council to deny the proposed application without prejudice and have the applicant reapply for a neighborhood store use with a zone change that could also clarify the definition of regional and sub-regional marketing base. Mr. Wolfe thought that the Zoning Ordinance permits a supermarket as a primary use in the Neighborhood Commercial Zoning District and as a secondary use in the Regional Commercial District. He added that if the store was a regional use, then it would be a significant traffic impact that would require a California Environmental Quality Act (CEQA) review, and if not, then it would be neighborhood serving and not permissible under the Zoning Ordinance.

The following individuals spoke in support of approving a Walmart Market Grocery Store at a site occupied by Circuit City for the following reasons: help surrounding small business survival; create an affordable market for seniors and others on fixed income; fill vacant building; create local jobs; deter graffiti and crime; increase tax revenue; revitalize small businesses; create a friendly business community; in fairness to the land owner; potential for employees unionizing; support Shop Hayward First campaign; help bring more businesses to Hayward; support economic development; and provide an alternative shopping location.

Etenesh Benti, owner of Quiznos on Whipple Road and Hayward resident
 Jerry Higgins, resident of Spanish One in Hayward
 Philip Lehrman, Armour Street resident
 Margie Sparaco, Armour Street resident was in favor but declined to speak
 Greg Warn, Danville resident and owner of Crescent Truck Lines
 Roy Gordon, Stanhope Lane resident
 Stephanie Skaggs, San Leandro resident
 Ralph Farias Jr., Belmont Avenue resident
 Kim Huggett, President of the Chamber of Commerce
 Barbara Sacks, Spanish Ranch One Mobile Home Park resident
 Roxanne Stone, San Jose resident and owner of Wing Stop at Whipple Road
 Linda Bennett, Hayward resident
 Brian Schott, Morse Court and Chamber of Commerce member
 Sanjiv Patel, Mission Boulevard resident and small business owner
 Terry Swartz, Verando Circle resident and Council Economic Development Committee member
 Robert Lutz, Harpoon Way resident

The following individuals spoke in opposition of approving a Walmart Market Grocery Store at the site formerly occupied by Circuit City for the following reasons: worst corporate employer; does not pay living wage and subsidize healthcare; impact to the local economy; unethical and dishonest corporation; majority of associates are part-time employees, 40% of associates depend on some form of aid; less than 20% of grocery sales are taxable; traffic impact to surrounding businesses; increase in greenhouse gas emission; Zoning Ordinance regulation; supermarket is a primary land use in the Neighborhood Commercial Zoning District; does not support local-owned business; there are plenty of grocery stores in the area; diminish quality of life; magnet for crime; environmental impact; social impact; corporate bribery and overcharging, and unacceptable legal labor practices

Mike Machado, Albany resident and member of UFCW Local 5
 Mike Howey, Poplar Avenue resident



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, May 22, 2012, 7:00 p.m.**

Rebecca Novak, Willow Avenue resident
 Paul Novak, Willow Avenue resident
 John Roe, Danville resident, member of UFCW Local 5, and Hayward native. Mr. Roe noted the passing of Anthony Barosa, a Hayward native and the owner of Golden Bay Title on Foothill Boulevard.
 Misty Tanner, Mission Boulevard resident and former Walmart Assistant Manager
 Simone Monk, Birch Street resident
 Carol Sturholm, El Dorado Avenue resident
 Desire Schmidt, Willow Avenue resident
 Jennifer Lough, Isabella Street resident
 Louis Howey, Poplar Avenue resident
 Liz Gonzales, Hayward resident
 Cindy Pringle, Sunset Boulevard resident
 Rich Fierro, Hayward resident
 Mike Allen, Cottonwood Street resident
 Robert Seitz, Main Street resident
 Josie Camacho, Oakland resident and member of Alameda Labor Council
 Cassandra Hunter, Blossom Way resident
 Mary Bergan, Oakland resident
 Josie Sutton, Jane Avenue resident
 Manuel Rotinho, Cathy Way resident
 Silvia Brandon Perez, Wingate Way resident
 Jennifer Ong, Whittington Lane resident, spoke as a small business owner and a member of the Chamber of Commerce
 LaVonne Gallo, New England Mobile Home Park resident
 Ellis Goldberg, Danville resident
 Gail Herrera, Union City resident
 Charlie Peters, Main Street resident
 Tom Wetzel, High Street resident
 Jaime Reyes, Union City resident

The following individuals submitted speaker cards, but were not present when their names were called: Jean Powers, Sonya Taylor, Walter Nieman, Mark Taylor, Jeannie Powers, Cathy Conner, Mindy Davis, and Evelyn Cormier.

Mayor Sweeney closed the public hearing at 11:24 p.m.

Council Member Quirk thanked the audience and the speakers who expressed their opinions on the matter. Mr. Quirk noted that when 80 percent of the traffic is coming from a place other than the freeway, it is not regional or sub-regional marketing base. Mr. Quirk added that the property owner

could come back with a new use permit or take the reference to regional and sub-regional restriction out.

Mr. Quirk offered a motion to uphold the Planning Commission's decision that a proposed Walmart Market Grocery Store at the site occupied by Circuit City is not a permitted use consistent with Conditional Use Permit No. PL-2004-0039; deny the application without prejudice; invite the applicant to come back with an application for a supermarket; direct staff to bring back findings of denial based on the record and commentaries; and direct staff to bring back a definition for regional and sub-regional that would apply to the anchor store in a development.

City Attorney Lawson clarified that the Zoning Ordinance would need to be amended to define regional or sub-regional serving uses, which would need to be heard by the Planning Commission.

Council Member Quirk clarified his motion by noting it consisted of three parts: upholding the Planning Commission's decision; directing staff to bring back findings of denial based on the record; and defining regional and sub-regional marketing base following necessary procedures.

Mayor Sweeney seconded the motion on the floor.

Council Member Henson expressed preference for defining regional or sub-regional marketing base before taking further action on the proposal. Discussion ensued to clarify the motion.

Council Member Halliday stated she would not patronize Walmart because it was not a corporate citizen, but she supported the proposal based on the need to fill vacant buildings during tough economic times, on the numerous letters that Council received in support of a grocery store, and the investment that Mr. Temkin had made to the property and Hayward. Ms. Halliday noted that the City needed to support strengthening laws that require employers to pay a living wage and provide benefits. Ms. Halliday concurred with the staff's recommendation and did not support the motion.

Council Member Salinas concurred with Council Member Halliday that the building had been vacant for a long time, that economic development must be supported, that Mr. Daniel Temkin had maintained his property and invested in Hayward. Mr. Salinas urged his colleagues to empathize with Mr. Temkin and help small business owners stay open. Mr. Salinas agreed with Council Member Halliday that the proposed use was appropriate and he did not support the motion.

Council Member Zermeño thanked all in attendance and he acknowledged the union's point of view, but also noted the need for Hayward to attract, support businesses, rebuild the tax base, and be consistent when approving businesses. He mentioned the overwhelming number of correspondence that he received in support of the proposal from residents, some of whom were on fixed income. Mr. Zermeño said he did not support the motion.

Council Member Peixoto mentioned that in the absence of a definition for regional and sub-regional marketing base, the Council must use common sense. Council Member Peixoto noted that regional meant when people travel from outside a city to patronize a business, and grocery stores were neighborhood serving entities and therefore could not be considered a regional and sub-regional use. He noted the applicant's request was not consistent with the existing 2004 Conditional Use



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, May 22, 2012, 7:00 p.m.**

Permit (CUP) and in accordance with the Zoning Ordinance this CUP should be null and void. He added that the proposed grocery store use posed significant environmental impacts due to traffic and greenhouse gas emissions. Mr. Peixoto added that the Planning Commission did due diligence in its decision and this was a land-use issue. Mr. Peixoto said he supported the motion.

Council Member Henson pointed out the item before Council was a land use. Mr. Henson empathized with Daniel Temkin and the small business owners. Council Henson recommended the addition of a “without prejudice” clause to the motion, which would enable the applicant to return and reapply for a grocery store use and also give staff time to return to Council with a definition of regional and sub-regional marketing base.

Council Member Quirk accepted the addition of “without prejudice,” to his motion and Mayor Sweeney seconded the motion.

It was moved by Council Member Quirk, seconded by Mayor Sweeney, and carried with the following vote, to uphold the Planning Commission’s decision that a proposed Walmart Market Grocery Store at Circuit City is not a permitted use; to direct staff to bring back findings for denial and include a “without prejudice clause,” which would not preclude the applicant from resubmitting an application that would be consistent with an allowed use at the proposed site; and direct staff to define regional and sub-regional marketing base; **APPROVED, 4:3:0 (AYES: Quirk, Sweeney, Peixoto, Henson; NOES: Zermeño, Salinas, Halliday)**

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Zermeño noted that May 23, 2012, was “National Arbor Day,” and invited folks to participate by attending events held at Ruus Elementary School.

ADJOURNMENT

Mayor Sweeney adjourned the meeting at 12:17 a.m.

APPROVED:

Michael Sweeney, Mayor, City of Hayward

ATTEST:

Miriam Lens, City Clerk, City of Hayward