



CITY OF
HAYWARD
HEART OF THE BAY

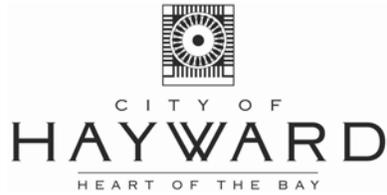
CITY COUNCIL AGENDA
JUNE 17, 2014

MAYOR MICHAEL SWEENEY
MAYOR PRO TEMPORE MARK SALINAS
COUNCIL MEMBER BARBARA HALLIDAY
COUNCIL MEMBER FRANCISCO ZERMEÑO
COUNCIL MEMBER MARVIN PEIXOTO
COUNCIL MEMBER GREG JONES
COUNCIL MEMBER AL MENDALL

Table of Contents

Agenda	3
Appointments and Reappointments to the Hayward Youth Commission and Swearing-In Ceremony (Report from City Clerk Lens)	
Staff Report	8
Attachment I Resolution	10
Approval of Minutes of the City Council Meeting on May 27, 2014	
Draft Minutes	12
Resignation of Peggy Guernsey from the Community Services Commission	
Staff Report	19
Attachment I Resolution	20
Attachment II Resignation Letter	21
Downtown Business Improvement Area Annual Report and Proposed Budget for FY 2014-2015 and Setting Public Hearing for July 1, 2014	
Staff Report	22
Attachment I Resolution.	26
Attachment II FY2014 Annual Report and FY2015 Proposed Budget	28
Attachment III DBIA Brochure.	34
Adoption of a Resolution Approving Extensions and Modifications to Employment Agreements with the City Manager, City Attorney and City Clerk and Authorizing the Mayor to Execute Those Agreements on Behalf of the Council	
Staff Report	36
Attachment I.	39
Attachment II	40
Attachment III	41
Attachment IV.	42
Attachment V	48
Attachment VI.	53
Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Assessments for Fiscal Year 2015, and set July 15, 2014, as the Public Hearing Date for Such Actions for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13	
Staff Report	58
Attachment I Resolution.	65
Attachment II Engineer's Report	67
Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2015 for Maintenance District No. 1 – Storm Drainage Pumping Station and Storm Drain Conduit Located at Pacheco Way, Stratford Road and Ruus Lane, and Set July 15, 2014, as the Public Hearing Date for Such Actions	

Staff Report	150
Attachment I Resolution.	153
Attachment II Engineer's Report	155
Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2015 for Maintenance District No.2 – Eden Shores Storm Water Facilities and Water Buffer, and Set July 15, 2014, as the Public Hearing for Such Actions	
Staff Report	175
Attachment I Resolution.	178
Attachment II Engineer's Report	180
Pavement Rehabilitation Gas Tax FY15: Award of Contract	
Staff Report	203
Attachment I.	206
Attachment II	208
Attachment III	213
Fire Station No. 7 and Firehouse Clinic Construction Project: Approval of Addenda and Award of Contract	
Staff Report	217
Attachment I.	221
Attachment II	223
Attachment III	224
Attachment IV.	225
Adopt Resolutions Relating to (1) the Assignment of JMJ Development, LLC's Rights and Obligations Under the South Hayward BART Owner Participation Agreement to AMCAL Equities, LLC; and (2) Modifications and Clarifications to the Conditions of Approval Related to the First Phase of the South Hayward BART Transit-Oriented Development; and (3) a \$1,000,000 Housing Authority Conditional Loan to Eden Housing, Inc., for the Affordable Housing Component of the South Hayward BART Transit-Oriented Development Report from Assistant City Manager McAdoo)	
Staff Report	231
Attachment I Resolution.	241
Attachment II Housing Authority Resolution.	246



CITY COUNCIL MEETING FOR JUNE 17, 2014
777 B STREET, HAYWARD, CA 94541
WWW.HAYWARD-CA.GOV

CLOSED SESSION
Closed Session Room 2B – 5:00 PM

1. PUBLIC COMMENTS

2. Conference with Labor Negotiators

Pursuant to Government Code 54957.6

- Lead Negotiators: City Manager David; City Attorney Lawson; Assistant City Manager McAdoo; Finance Director Vesely; Deputy City Attorney Vashi; Director of Maintenance Services McGrath; Acting Human Resources Director Collins; Senior Human Resources Analyst Monnastes; Community and Media Relations Officer Holland; Jack Hughes, Liebert, Cassidy and Whitmore
- Under Negotiation: All Groups

3. Conference with Real Property Negotiators

Pursuant to Government Code 54956.8

- Under Negotiation: South Hayward BART Land Purchase and Requisition
- Lead Negotiators: City Manager David, Assistant City Manager McAdoo, City Attorney Lawson, Assistant City Attorney Conneely, Project Consultant DeClercq, Development Services Director Rizk, Finance Director Vesely, and Heather Gould and Rafael Yaquian from Goldfarb Lipman

4. Adjourn to Special Joint City Council/Housing Authority Meeting

SPECIAL JOINT CITY COUNCIL/HOUSING AUTHORITY MEETING
Council Chambers – 7:00 PM

CALL TO ORDER Pledge of Allegiance Council Member Mendall

ROLL CALL

CLOSED SESSION ANNOUNCEMENT

PUBLIC COMMENTS

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

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.)*

BOARDS AND COMMISSIONS

1. Appointments and Reappointments to the Hayward Youth Commission and Swearing-In Ceremony
(Report from City Clerk Lens)
[Staff Report](#)
[Attachment I Resolution](#)
-

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

2. Approval of Minutes of the City Council Meeting on May 27, 2014
[Draft Minutes](#)
3. Resignation of Peggy Guernsey from the Community Services Commission
[Staff Report](#)
[Attachment I Resolution](#)
[Attachment II Resignation Letter](#)
4. Downtown Business Improvement Area Annual Report and Proposed Budget for FY 2014-2015 and Setting Public Hearing for July 1, 2014
[Staff Report](#)
[Attachment I Resolution](#)
[Attachment II FY2014 Annual Report and FY2015 Proposed Budget](#)
[Attachment III DBIA Brochure](#)

June 17, 2014



5. Adoption of a Resolution Approving Extensions and Modifications to Employment Agreements with the City Manager, City Attorney and City Clerk and Authorizing the Mayor to Execute Those Agreements on Behalf of the Council

[Staff Report](#)
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[Attachment IV](#)
[Attachment V](#)
[Attachment VI](#)

6. Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Assessments for Fiscal Year 2015, and set July 15, 2014, as the Public Hearing Date for Such Actions for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13

[Staff Report](#)
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7. Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2015 for Maintenance District No. 1 – Storm Drainage Pumping Station and Storm Drain Conduit Located at Pacheco Way, Stratford Road and Ruus Lane, and Set July 15, 2014, as the Public Hearing Date for Such Actions

[Staff Report](#)
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[Attachment II Engineer's Report](#)

8. Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2015 for Maintenance District No.2 – Eden Shores Storm Water Facilities and Water Buffer, and Set July 15, 2014, as the Public Hearing for Such Actions

[Staff Report](#)
[Attachment I Resolution](#)
[Attachment II Engineer's Report](#)

9. Pavement Rehabilitation Gas Tax FY15: Award of Contract

[Staff Report](#)
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[Attachment III](#)

10. Fire Station No. 7 and Firehouse Clinic Construction Project: Approval of Addenda and Award of Contract

[Staff Report](#)
[Attachment I](#)
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[Attachment IV](#)

June 17, 2014



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

11. Public Hearing for the Proposed FY 2015 Annual Operating Budget for the City of Hayward, Hayward Redevelopment Successor Agency, and Hayward Housing Authority; and the FY 2015 Capital Improvement Program Budget (*Report from Finance Director Vesely*)

**** Report will be available no later than June 16, 2014 ****

12. Adopt Resolutions Relating to (1) the Assignment of JMJ Development, LLC's Rights and Obligations Under the South Hayward BART Owner Participation Agreement to AMCAL Equities, LLC; and (2) Modifications and Clarifications to the Conditions of Approval Related to the First Phase of the South Hayward BART Transit-Oriented Development; and (3) a \$1,000,000 Housing Authority Conditional Loan to Eden Housing, Inc., for the Affordable Housing Component of the South Hayward BART Transit-Oriented Development Report from Assistant City Manager McAdoo)

[Staff Report](#)

[Attachment I Resolution](#)

[Attachment II Housing Authority Resolution](#)

13. Adopt Resolutions and Introduce Ordinances Regarding Establishment of Zoning Regulations Related to the Retail Sales of Tobacco and Tobacco-Related Products, Including Electronic Cigarettes, as well as Proposed New Fees and Amendments to the City's Smoking Pollution Control Ordinance (Text Amendment Application No. PL-2013-0389); the City has Prepared a Negative Declaration, which Concludes That the Project Will Not Have a Significant Negative Impact on the Environment; Applicant: City of Hayward (*Report from Development Services Director Rizk*)

**** Continued to June 24, 2014 ****

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 REGULAR MEETING – 7:00 PM, TUESDAY, JUNE 24, 2014

June 17, 2014



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 before speaking and are expected to honor the allotted time. Speaker Cards are 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 17, 2014

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Appointments and Reappointments to the Hayward Youth Commission

RECOMMENDATION

That the City Council adopts the attached resolution confirming the appointment of seven new members to the Hayward Youth Commission, appointment of four Hayward Youth Commission alternates, and the reappointment of eight continuing Hayward Youth Commissioners.

BACKGROUND

On May 28, 2014, during the annual recruitment for the Hayward Youth Commission, representatives from the three local public agencies interviewed twenty-five applicants, recommended eleven individuals to fill vacancies, and accepted eight requests for reappointment. The representatives were: Council Members Zermeño and Salinas; Directors Minane Jameson and Dennis Waespi from the Hayward Area Recreation and Park District; and Trustee Lisa Brunner from the Hayward Unified School District.

As vacancies occur throughout the year, appointments will be made from the alternate list of four candidates that was established.

COMMISSIONER	STATUS	SUCCEEDS	TERM EXPIRES
New Appointments:			
Andrea Martinez	New Appointment	Christian Vernikoff	June 2016
Bobbie Reyes	New Appointment	Daniel Aguilar	June 2016
Jose Lara Cruz	New Appointment	Elmer Beltran	June 2016
Joshua Tran	New Appointment	Harmanpreet Kaur	June 2016
Krystina Williamson	New Appointment	Sharfa Prasad	June 2016
Leslee Gonzalez	New Appointment	Paul Guandique	June 2016
Muzamil Samimi	New Appointment	Laura Romero	June 2015

COMMISSIONER	STATUS	TERM EXPIRES
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Reappointments:

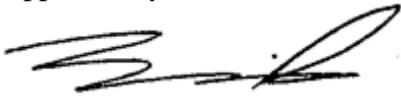
Andrew Romero	Reappointment	June 2016
Diego Lopez	Reappointment	June 2016
Jahlan Loché	Reappointment	June 2016
Joanna Gil	Reappointment	June 2016
Lilybeth Domingo	Reappointment	June 2016
Luis Loza	Reappointment	June 2016
Marcus Smith	Reappointment	June 2016
Sophia Espinosa	Reappointment	June 2016

Alternate List:

Carina Villagomez	Alternate	June 2016
Elexis Mendoza	Alternate	June 2016
Odalys De Lao	Alternate	June 2016
Vicky Tran	Alternate	June 2016

Prepared and Recommended by: Miriam Lens, City Clerk

Approved by:



Fran David, City Manager

Attachment:

Attachment I Resolution Establishing Appointments and Reappointments

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-

Introduced by Council Member _____

RESOLUTION APPOINTING AND REAPPOINTING
MEMBERS TO THE HAYWARD YOUTH COMMISSION

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

NEW APPOINTMENTS:

COMMISSIONER	STATUS	SUCCEEDS	TERM EXPIRES
Andrea Martinez	New Appointment	Christian Vernikoff	June 2016
Bobbie Reyes	New Appointment	Daniel Aguilar	June 2016
Jose Lara Cruz	New Appointment	Elmer Beltran	June 2016
Joshua Tran	New Appointment	Harmanpreet Kaur	June 2016
Krystina Williamson	New Appointment	Sharfa Prasad	June 2016
Leslee Gonzalez	New Appointment	Paul Guandique	June 2016
Muzamil Samimi	New Appointment	Laura Romero	June 2015

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

REAPPOINTMENTS:

COMMISSIONER	STATUS	TERM EXPIRES
Andrew Romero	Reappointment	June 2016
Diego Lopez	Reappointment	June 2016
Jahlan Loché	Reappointment	June 2016
Joanna Gil	Reappointment	June 2016
Lilybeth Domingo	Reappointment	June 2016
Luis Loza	Reappointment	June 2016

COMMISSIONER	STATUS	TERM EXPIRES
Marcus Smith	Reappointment	June 2016
Sophia Espinosa	Reappointment	June 2016

ALTERNATES:

COMMISSIONER	STATUS	TERM EXPIRES
Carina Villagomez	Alternate	June 2016
Elexis Mendoza	Alternate	June 2016
Odalis De Lao	Alternate	June 2016
Vicky Tran	Alternate	June 2016

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2014

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 CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, May 27, 2014, 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 MEMBER Zermeño, Jones, Halliday, Peixoto, Salinas, Mendall
MAYOR Sweeney
Absent: None

CLOSED SESSION ANNOUNCEMENT

Mayor Sweeney reported that the Council met in closed session concerning three items: 1) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups, 2) conference with real property negotiators pursuant to Government Code 54956.8 regarding South Hayward BART land purchase and requisition, and 3) conference with real property negotiators regarding City Center properties. There was no reportable action.

PRESENTATIONS

Council Member Salinas, the Council Liaison to the Library Commission, noted that the Friends of the Hayward Library created the first annual “What My Library Means to Me” student essay scholarship awards. The contest was opened to Hayward students in grades K-12 and over 80 essays were received. Council Member Salinas recognized all student essayists with special certificates and ribbons and announced five essay winners, each of whom received a cash scholarship award and a pizza party for their class.

Mayor Sweeney read a Certificate of Commendation recognizing Moreau Catholic High School’s Mock Trial Team for competing in a two day State Mock Trial State Championships with 33 other schools and finishing with a 3-1 record as the 11th ranked Mock Trial team for the entire state of California. Mayor Sweeney commended Moreau Catholic High School’s Mock Trial Team for its accomplishments, outstanding spirit of dedication, enthusiasm and hard work. Student Roshni Sopariwalla and teacher Phill Wilder thanked the Council for such honor and everyone who supported the team.

PUBLIC COMMENTS

Council Member Halliday, the City’s delegate to the AC Transit District, announced there would be a community meeting sponsored by the AC Transit District on June 4, 2014, at City Hall, regarding revisions to policies to Title VI of the 1964 Civil Rights Act. Ms. Halliday added there would be a public hearing on June 11, 2014, at the AC Transit office.

Mr. Jim Drake, Hayward resident, spoke about data provided by the Police Chief at the Council meeting on May 20, 2014, and urged for patrol vehicles to be increased.

Mr. John Ducht, Roseville resident, requested that the Council revisit a case filed against a police officer that was dismissed in 2012. Mayor Sweeney suggested that Mr. Ducht submit a written request.

Mr. Ken Russell Coelho and Ms. Anna May, Hayward residents, reminded everyone about the 21st Asian American Heritage Festival on May 31, 2014, at Hayward City Hall Plaza.

Mr. Tom Deal, Union City resident, submitted a card but did not speak.

Mr. Mark Branco, Hayward resident, expressed concern about the City's current speed hump approval policy and process and noted he would be submitting a list of concerns and recommendations to Council.

Mr. Jason Moreno, Hayward resident, spoke about past abuses and inefficiencies perpetuated by the former Hayward police department, which led him to start the organization Copwatch Hayward. Mr. Moreno added that his organization advocates for injustices and has partnered with the American Civil Liberties Union, San Francisco Branch. He added that Ms. Chaplin's case was referred to his organization.

Ms. Kelly Greenne, Hayward resident and Library Commission member, did not agree that Measure C was the way to build a new library, did not agree with the treatment that Library employees were given during labor negotiations, and questioned how the \$10 million from Calpine was being spent. Ms. Greenne spoke about the many accomplishments of the Library through its programs and offered suggestions for improvement.

Ms. Annette Chaplin, Hayward resident, spoke about an incident with Hayward police officers on January 25, 2014. Ms. Chaplin added that she filed a complaint with the Hayward Police Department and was informed that the officer was placed on leave during the investigation. Ms. Chaplin expressed that no one was holding the officer accountable and asked for help.

Mayor Sweeney asked City staff to provide Council with a report related to concerns expressed by Mr. John Ducht, Mr. Branco, and Ms. Chaplin. Mayor Sweeney also requested a report, as part of the budget process, on the funds received from Calpine and how funds from Measure C would be spent.

WORK SESSION

1. Proposed FY 2015 Annual Operating Budget – Work Session #2

Staff report submitted by Director of Finance Vesely, dated May 27, 2014, was filed.



**MINUTES OF CITY COUNCIL MEETING
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City Manager David announced the report noting the work session marked the second of three budget work sessions.

Public Works-Engineering and Transportation Director Fakhrai provided a synopsis of the accomplishments, goals, and challenges of the Public Works-Engineering and Transportation Department as presented in the Proposed FY 2015 Annual Operating Budget.

Discussion ensued among City Council and City staff related to the Public Works-Engineering and Transportation Department concerning: Mission Boulevard roads condition and street lights; LED lights' dispersion partner and luminosity; speed bumps; the loop; and road improvements throughout the city. Council praised the accomplishments achieved by the department.

Council Member Halliday requested a work session regarding speed bumps.

Public Works-Engineering and Transportation Director Fakhrai presented a brief overview of the FY 2015-FY 2024 Capital Improvement Program.

Public Works-Utilities and Environmental Services Director Ameri provided a synopsis of the accomplishments, goals, and challenges of the Public Works-Utilities and Environmental Services Department as presented in the Proposed FY 2015 Annual Operating Budget.

Discussion ensued among City Council and City staff related to the budget for the Public Works-Utilities and Environmental Services Department concerning: San Francisco water rates; phase II implementation of food waste recycling for multifamily and commercial recycling for smaller businesses; cogeneration and solar energy; and connection fees and accommodations for businesses. The Council commended staff for all the accomplishments, and specifically for efforts in making Hayward energy independent and greener.

Maintenance Services Director McGrath provided a synopsis of the accomplishments, goals, and challenges of the Maintenance Services Department as presented in the Proposed FY 2015 Annual Operating Budget.

Discussion ensued among City Council and City staff related to the budget for the Maintenance Services Department concerning: access Hayward requests and appreciation for the department's support to the Keep Hayward Clean and Green Task Force and the Adopt-A-Street Program. Council commended staff for the accomplishments and good customer service.

Council Member Jones requested a long-term plan for managing the urban forest that is aggressively expanding.

Mayor Sweeney asked Finance staff to explain the difference between General Fund Revenue and General Fund Subsidy.

Development Services Director Rizk provided a synopsis of the accomplishments, goals, and challenges of the Development Services Department as presented in the Proposed FY 2015 Annual Operating Budget. Director Rizk requested reestablishing the Senior Building Plan Checker, Principal Planner, and Supervising Building Inspector positions.

Discussion ensued among City Council and City staff related to the budget for the Development Services Department concerning: the General Plan Update; factors contributing to staff turnover; challenges with the permitting process; reinvesting in technology to improve processes; conducting a comprehensive fee study to present fees in relation to costs; support for staffing increases as part of the current budget or mid-year review; updating the City's Sign Ordinance and City's Subdivision Ordinance; and the importance to conduct an Opportunity Sites review. Council commended staff for the accomplishments.

Library and Community Services Director Reinhart provided a synopsis of the accomplishments, goals, and challenges of the Library and Community Services Department as presented in the Proposed FY 2015 Annual Operating Budget.

Discussion ensued among City Council and City staff related to the budget for the Library and Community Services Department regarding: the work that volunteers do in supporting various programs; test scores in After School Homework Support Centers; policies and program goals for the CDBG program; and the City partnering with the Hayward Unified School District to create jointly operated school-public library locations. Council commended staff for all the accomplishments, particularly the After School Program.

Consent Item No. 5 was held due to work that needed to be completed by Caltrans.

CONSENT

2. Approval of Minutes of the Special City Council Meeting on May 13, 2014

It was moved by Council Member Jones, seconded by Council Member Halliday, and carried unanimously, to approve the minutes of the Special City Council Meeting on May 13, 2014.

3. Airport Pavement Rehabilitation FY15 - Airport Terminal Building Access Road: Award of Contract

Staff report submitted by Assistant City Engineer Owusu, dated May 27, 2014, was filed.

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

Resolution 14-064, "Resolution Awarding the Contract to G. Bortolotto & Co, Inc., for the Airport Pavement Rehabilitation FY 15 – Airport Terminal Building Access Road Project, Project No. 06821"



**MINUTES OF CITY COUNCIL MEETING
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4. Pavement Reconstruction FY15: Approval of Plans and Specifications and Call for Bids

Staff report submitted by Assistant City Engineer Owusu, dated May 27, 2014, was filed.

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

Resolution 14-065, “Resolution Approving Plans and Specifications for the Pavement Reconstruction FY 15 Project, Project Nos. 05251 and 05261, and Call for Bids”

5. West A Street Safety Improvement: Approval of Plans and Specifications and Call for Bids

Staff report submitted by Assistant City Engineer Owusu, dated May 27, 2014, was filed.

Consent Item No. 5 was held due to work that needed to be completed by Caltrans.

6. Airport Ground Lease to the California Army National Guard

Staff report submitted by Airport Manager McNeeley, dated May 27, 2014, was filed.

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

Resolution 14-066, “Resolution Authorizing the City Manager to Negotiate and Execute a Ground Lease with California Army National Guard for a Parcel of Land at Hayward Executive Airport”

PUBLIC HEARING

Mayor Sweeney noted that the item “Request for Amendment to Owner Participation Agreement and Modification of Vesting Tentative Tract Map No. 8032 Conditions of Approval” was not on the agenda and was not going to be heard as noticed.

7. South Hayward BART Transit Oriented Development: Update on Implementation of and Modification to Action Plan for the South Hayward BART Access Authority, and Modification of Parking Permit Program for Residents and Commuters

Staff report submitted by Project Consultant DeClercq, dated May 27, 2014, was filed.

Assistant City Manager McAdoo provided a synopsis of the report.

Discussion ensued among Council and City staff regarding the difference between the system-wide parking fees and the existing South Hayward BART fees, and the change in the hours of operation of El Paraiso Restaurant.

There being no public comments, Mayor Sweeney opened and closed the public hearing at 10:16 p.m.

Council Member Mendall offered a motion per staff recommendation modifying the Designation of certain streets near the South Hayward BART Station and modifications to the South Hayward BART JPA Action Plan. Council Members Halliday and Zermeño seconded the motion.

Council Member Mendall stated that the parking fees cannot be changed without a vote by the Joint Powers Authority (JPA) Board.

Council Member Zermeño noted the restaurant owner of El Paraiso was concerned about the availability of parking during dinner hours and concurred with Council Member Mendall.

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

Resolution 14-067, “Resolution Modifying the Designation of Certain Streets Surrounding the South Hayward Bart Station as Transit Oriented Development Preferential Permit Parking Areas”

Resolution 14-068, “Resolution Approving Modifications to the South Hayward BART Station Access Authority Action Plan”

LEGISLATIVE BUSINESS

8. Adoption of Ordinance Amending Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Property in Connection with Zone Change Application No. PL-2013-0304 Relating to the Legacy Eden Shores Residential Development

Staff report submitted by City Clerk Lens, dated May 27, 2014, was filed.

Mayor Sweeney noted the Ordinance was introduced on May 20, 2014, and the report was placed under Legislative Business because the vote was not unanimous.

There being no public comments, Mayor Sweeney opened and closed the public hearing at 10: 19 p.m.



**MINUTES OF CITY COUNCIL MEETING
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777 B Street, Hayward, CA 94541
Tuesday, May 27, 2014, 7:00 p.m.**

Council Member Zermeño offered a motion per staff recommendation. Council Member Jones seconded the motion.

It was moved by Council Member Zermeño, seconded by Council Member Jones, and carried with Mayor Sweeney voting no, to adopt the following:

Ordinance 14-15, “An Ordinance Amending Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Property in Connection with Zone Change Application No. PL-2013-0304 Relating to the Legacy Eden Shores Residential Development”

COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS

Council Member Salinas congratulated all Hayward students who completed another academic year and successfully graduated.

Council Member Jones reminded everybody there was a municipal election on June 3, 2014, encouraged them to cast their ballots, and wished all candidates the best.

ADJOURNMENT

Mayor Sweeney adjourned the meeting at 10:21 p.m.

APPROVED:

Michael Sweeney
Mayor, City of Hayward

ATTEST:

Miriam Lens
City Clerk, City of Hayward

DATE: June 17, 2014
TO: Mayor and City Council
FROM: City Clerk
SUBJECT: Resignation of Peggy Guernsey from the Community Services Commission

RECOMMENDATION

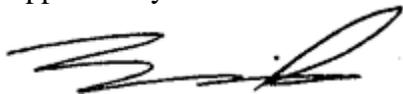
That the City Council accepts the resignation of Ms. Peggy Guernsey from the Community Services Commission.

BACKGROUND

Ms. Peggy Guernsey was appointed to the Citizens Advisory Commission on February 13, 2007. On October 20, 2011, the Citizens Advisory Commission and Human Services Commission merged to form the Community Services Commission. Ms. Guernsey submitted the attached resignation letter (Attachment II). Her resignation is effective immediately; and her vacated 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 Accepting the Resignation
- Attachment II Resignation Letter

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-

Introduced by Council Member _____

RESOLUTION ACCEPTING THE WRITTEN RESIGNATION OF PEGGY GUERNSEY FROM THE COMMUNITY SERVICES COMMISSION

WHEREAS, Ms. Peggy Guernsey was appointed to the Citizens Advisory Commission on February 13, 2007; and on October 20, 2011, the Citizens Advisory Commission and Human Services Commission merged to form the Community Services Commission; and

WHEREAS, Ms. Peggy Guernsey submitted her resignation on May 31, 2014, effective immediately.

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

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2014.

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

Director Sean Reinhart, Library and Community Services Department
Program Manager Dawn Jaeger, Community Services Department
Chairman Ray Bonilla, Citizens Services Commission
Mayor Michael Sweeney
Councilmember Barbara Halliday, CSC Liaison to City Council

May 31, 2014

It seems the time has come for me to resign my position as a Commissioner of the Citizens Service Commission. It is with great sadness that I write this letter to you.

While I have learned and enjoyed my years of service, I have found I can no longer be an effective voice of this commission for my community and the people I was appointed to serve. It's not the long hours, it's not the paperwork, it's not that I don't think we have the greatest agencies serving our communities, and it's certainly not the fact that every year we have struggled with money and performance issues, I truly have enjoyed my time serving. I have learned how to get past pettiness and listen to those I disagree with to find a solution that will benefit Hayward.

And now I just can't do it anymore. The conflict is too big and I now will hopefully move on, listen, learn and serve in another capacity.

Thank you, thank you for this opportunity, these years and your help along the way. I do greatly appreciate it.

Sincerely,

Peggy L. Guernsey



DATE: June 17, 2014

TO: Mayor and City Council

FROM: Assistant City Manager

SUBJECT: Downtown Business Improvement Area Annual Report and Proposed Budget for FY 2014-2015 and Setting Public Hearing for July 1, 2014

RECOMMENDATION

That the City Council accepts the Downtown Business Improvement Area “Annual Report and Proposed Budget for FY 2015,” and adopts the attached resolution (Attachment I) setting a public hearing for July 1, 2014, to consider the Annual Downtown Business Improvement Area levy.

BACKGROUND

Hayward’s Downtown Business Improvement Area (DBIA) was established by the City Council in 1985. 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’s boundaries and levy rates are shown in the Annual Report (Attachment II). This area includes more than 500 Hayward business license holders. 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. Zones 1 and 2 were established in 1984. Zone 1A was adopted by City Council as a subset of Zone 1 in FY 2002. Zone 1A comprises the downtown core and has the highest assessment rates. The amount of assessment fees paid by business owners is determined by the type of business. Retail business owners pay between \$90 to \$525 per year depending on gross receipts and the location. Professional Service and other Non-Retail business owners pay a flat fee ranging from \$75 to \$125 per year depending on location. Businesses classified as Financial pay a flat fee ranging from \$200 to \$325 per year depending on their location.

The DBIA Advisory Board’s Annual Report and Proposed Budget for FY 2015 are attached to this report as Attachment II. The Annual Report is mandated by State legislation that enables a city to establish an assessment district. 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.

DISCUSSION

This year, the DBIA Advisory Board recommends to City Council an annual budget to fund activities in the following categories: (1) events and promotions; (2) security; and (3) sidewalk steam cleaning. Because funding for banners and communications was approved in FY 2013-14, they are not shown as expenditures on this year's budget, but the previously approved funds will be used for these purposes in FY 2015.

The amount of DBIA assessments collected is impacted by business closures and business owners' inability to pay the assessment fee. When the economy is strong and businesses are thriving, the level of DBIA assessment fees collected has been as high as \$65,000 annually. The Finance Department collected \$54,794 in FY 2013, and is projected to collect \$55,988 in FY 2014 and \$57,237 in FY 2015. 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 spite of this increasing revenue from assessment fees, the loss of Redevelopment Agency funds in FY 2013 (\$55,000 annually) has had a significant impact on the level of services provided to DBIA businesses.

The assessment fee invoice and a brochure describing the services provided by the DBIA are mailed out annually in either late December or early January with business license renewal applications (see Attachment III). 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 which attempts to collect the fees.

FISCAL AND ECONOMIC IMPACT

The proposed FY 2015 budget is below and is more fully described in the Annual Report. It should also be noted that City staff continues to administer DBIA contracts, hold quarterly and special meetings, and meet the regulatory requirements of the DBIA at no cost to the DBIA. In addition, the City's Finance Department, at no cost to the DBIA, handles annual billing and collections.

As stated previously, DBIA assessment revenue is currently expected to increase slightly to \$57,000. The Advisory Board proposed an additional \$30,000 from the reserves be added to revenues to be available to fund a yet to be determined downtown event (\$10,000) and for one deep steam cleaning of the entire DBIA (\$20,000). In addition, the Board decided to budget \$20,200 for increased security in the Downtown. This money could be used to support mini-grants of up to \$1,000 to improve security in stores by funding cameras, shatterproof glass or other security features. The budget reserve currently has \$115,017.

Proposed Budget FY 2015

REVENUES	
DBIA Assessments	\$ 57,000
Allocation from DBIA Budget Reserve (Current total reserve=\$115,017)	\$ 30,000
Total Revenues	\$ 87,000
EXPENSE ITEMS	
Summer Street Parties	
July 2014	\$ 7,500
August 2014	\$ 7,500
June 2015	\$ 7,500
New Event	\$ 10,000
Fall Car Show	\$ 0
Item Subtotal:	\$ 32,500
Security	
Security	\$ 20,200
Item Subtotal:	\$ 20,200
Sidewalk Cleaning Contract	
Sidewalk Cleaning Entire BIA 2 x Year	\$ 14,300
Deep Cleaning of all Sidewalks in the BIA	\$ 20,000
Item Subtotal:	\$ 34,300
Total Budget	\$ 87,000

Business Improvement Districts exist to help create the conditions that support a robust downtown economy. The DBIA mission/vision statement is: “To create a safe, clean, and inviting downtown environment that supports existing businesses, attracts new businesses, and increases the number of downtown visitors.”

PUBLIC CONTACT

The DBIA Advisory Board met on the following dates during FY 2014: October 2, 2013, January 8, 2014, and April 2, 2014. A representative from the Hayward Chamber of Commerce attended DBIA Board meetings to report on Chamber activities. The DBIA and Chamber coordinate closely on the street party implementation. A special DBIA meeting was held February 24, 2014, and April 30, 2014, to discuss budget options, which meeting was advertised in a mailing to all members. A newly created Banner Subcommittee met on February 6, 2014, and April 1, 2014. These regularly scheduled meetings and the addition of the special meetings allowed the DBIA to develop and approve a FY 2015 budget. Feedback was also collected through an online survey available to all DBIA fee payers that included questions regarding spending priorities and ideas for future actions. On April 30, 2014, a quorum of the DBIA Advisory Board adopted a motion approving the proposed FY 2015 budget.

NEXT STEPS

The attached resolution sets a public hearing date of July 1, 2014, to consider the FY 2015 DBIA Levy.

Prepared by: Economic Development Specialist

Recommended by: Kelly McAdoo, Assistant City Manager

Approved by:



Fran David, City Manager

Attachments:

Attachment I:	Resolution
Attachment II:	FY 2014 Annual Report and FY 2015 Proposed Budget
Attachment III:	DBIA Brochure

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION ACCEPTING THE ANNUAL REPORT AND
DECLARING INTENTION TO LEVY ANNUAL CHARGES
FOR THE DOWNTOWN HAYWARD BUSINESS
IMPROVEMENT AREA (DBIA) FOR FISCAL YEAR 2015
AND PROVIDING NOTICE OF HEARING THEREON

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

1. On January 1, 1985, 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, 2013, to June 30, 2014, on behalf of the Downtown Hayward Business Improvement Area pursuant to section 36533 of the California Streets and Highway 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 2015 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 I-A.
4. Notice is hereby given that Tuesday, July 1, 2014, 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 Highway 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.

**DOWNTOWN BUSINESS IMPROVEMENT AREA
ANNUAL REPORT AND PROPOSED BUDGET FOR FY 2015**

BACKGROUND:

The Downtown Hayward Business Improvement Area (DBIA) was established in 1985. 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 2014:

The DBIA's activities during the current fiscal year were funded by Business Improvement Area assessments. DBIA activities in fiscal year 2014 fell under the following four categories.

- 1) Events and Promotions: Summer Street Parties
- 2) Downtown Banners: maintenance and rotation of banners located in the DBIA boundaries
- 3) Marketing, Promotions and Communications
- 4) Sidewalk Cleaning: steam cleaning of DBIA area sidewalks

FY 2014 DBIA Budget

REVENUES	FY 2014
DBIA Assessments	\$ 55,000
Estimated Reserve	\$ 35,000
Total Revenues	\$ 90,000
EXPENSE ITEM	
Summer Street Parties	\$22,500
Decorative Banners	\$18,900
Marketing, Promotions and Communications	\$33,000
Sidewalk Cleaning Contract	\$15,600
Total Expenses	\$ 90,000

ACTIVITIES AND ACCOMPLISHMENTS FOR FISCAL YEAR 2014:

All major activities planned for fiscal year 2014 have been completed or are in the process of being completed including the following:

Summer Street Parties: \$22,500

Three Street Parties were approved. Parties were held in July and August of 2013 and were very successful bringing thousands of visitors to the downtown. The funds for the June 2014 Street Party are already encumbered.

Decorative Banners: \$18,900

Staff has made major progress in the development of the banner program. We are requesting bids for the replacement of hardware and the installation of banners. In addition, we have the prototypes of the banners finished and will be requesting bids for the banners in the near future.

Marketing, Promotions and Communications: \$33,000

Money from this budget will be moved to FY 2015 and pay for the creation of a visitors' guide or a map to highlight the many amenities and restaurants that Hayward has to offer. The budget for the visitors' guide/map is \$18,000. Funding under this category will also fund a second banner rotation. The budget for a banner rotation is \$12,000. The remaining \$3,000 will pay for any other marketing and promotion costs incurred this fiscal year including any website costs. The rest will go into fund balance.

Sidewalk Cleaning Contract: \$15,600

The contract included steam cleaning of the entire DBIA twice yearly, steam cleaning of the downtown core an additional two times yearly, "spot" cleaning of B Street twice annually, steam cleaning of City Hall Plaza three times a year, and pressure washing of decorative garbage cans twice yearly. The City's Maintenance Services Department agreed to perform these services, which was more cost-effective and flexible in light of the scaled-down contract. They will bill the DBIA \$14,300.

In addition, the Department of Public Works, Engineering & Transportation has agreed to reimburse the DBIA the replacement cost of banner hardware that was removed during reconstruction of Route 238 and the creation of the Loop. Total reimbursement will be \$11,000. This money will be used to augment the budget for the purchase of banner hardware.

The Annual Report addresses the following six topic areas:

1. PROPOSED BIA BOUNDARY CHANGES DURING FY 2015

The Advisory Board is proposing no changes to the boundaries at this time. Figure 1 on page six of this report shows a map of the DBIA boundaries.

2. STATEMENT OF PROPOSED BUDGET AND ACTIVITIES FOR FY 2015

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.” As of May 8, 2014, the City’s Finance Department has collected \$39,312 in assessment fees. The projected revenue is \$55,988.

The proposed DBIA budget for fiscal year 2015 has assessment revenue increasing to \$57,000. In addition, the Advisory Board has proposed using \$30,000 of budget reserves in fiscal year 2015 for one-time expenses including funding a new type of event downtown (\$10,000) and having a deep steam cleaning of all DBIA sidewalks (\$20,000). The budget reserve currently has \$115,017. If the amount of assessment fees collected is higher than \$57,000, then the amount used from reserves will decrease.

Proposed Budget FY 2015

REVENUES	
DBIA Assessments	\$ 57,000
DBIA Budget Reserve	\$ 30,000
Total Revenues	\$ 87,000
EXPENSE ITEMS	
Summer Street Parties	
July 2014	\$ 7,500
August 2014	\$ 7,500
June 2015	\$ 7,500
New Event	\$ 10,000
Fall Car Show	\$ 0
Item Subtotal:	\$ 32,500
Security	
Security	\$ 20,200
Item Subtotal	\$ 20,200
Sidewalk Cleaning	
Sidewalk Cleaning Entire BIA 2 x Year	\$ 14,300
Deep Cleaning of all Sidewalks in the BIA	\$ 20,000
Item Subtotal:	\$ 34,300
Total Budget	
	\$ 87,000

PROPOSED ACTIVITIES FOR FISCAL YEAR 2015:

Summer Street Parties: \$22,500

Funding for three downtown street parties was approved. Organized by the Hayward Chamber of Commerce, parties will be held the third Thursday in July 2014, August 2014, and June 2015, with themes determined by the Chamber.

New Event: \$10,000

This level of funding was allocated to explore the possibility of having a new event in addition to the downtown street parties.

Security: \$20,200

The board decided to budget \$20,200 for increased security in the Downtown. This money could be used to support mini-grants of up to \$1,000 to improve security in stores by funding cameras, shatterproof glass, or other security features.

Sidewalk Cleaning: \$34,300

Contract will include steam cleaning of the entire DBIA twice yearly, steam cleaning of the downtown core an additional twice yearly, "spot" cleaning of B Street, steam cleaning of City Hall Plaza three times a year, and pressure washing of decorative garbage cans twice yearly. Additional funds were added for a deep steam cleaning, which includes gum removal, of all sidewalks in the DBIA once a year.

3. PROPOSED BUDGET EXPENDITURES FY 2015

The total proposed budget for fiscal year 2015 is \$87,000.

4. PROPOSED METHOD AND BASIS FOR LEVYING DBIA ASSESSMENTS

The DBIA zones and levy (fee structure) are indicated below. No changes are proposed at this time.

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

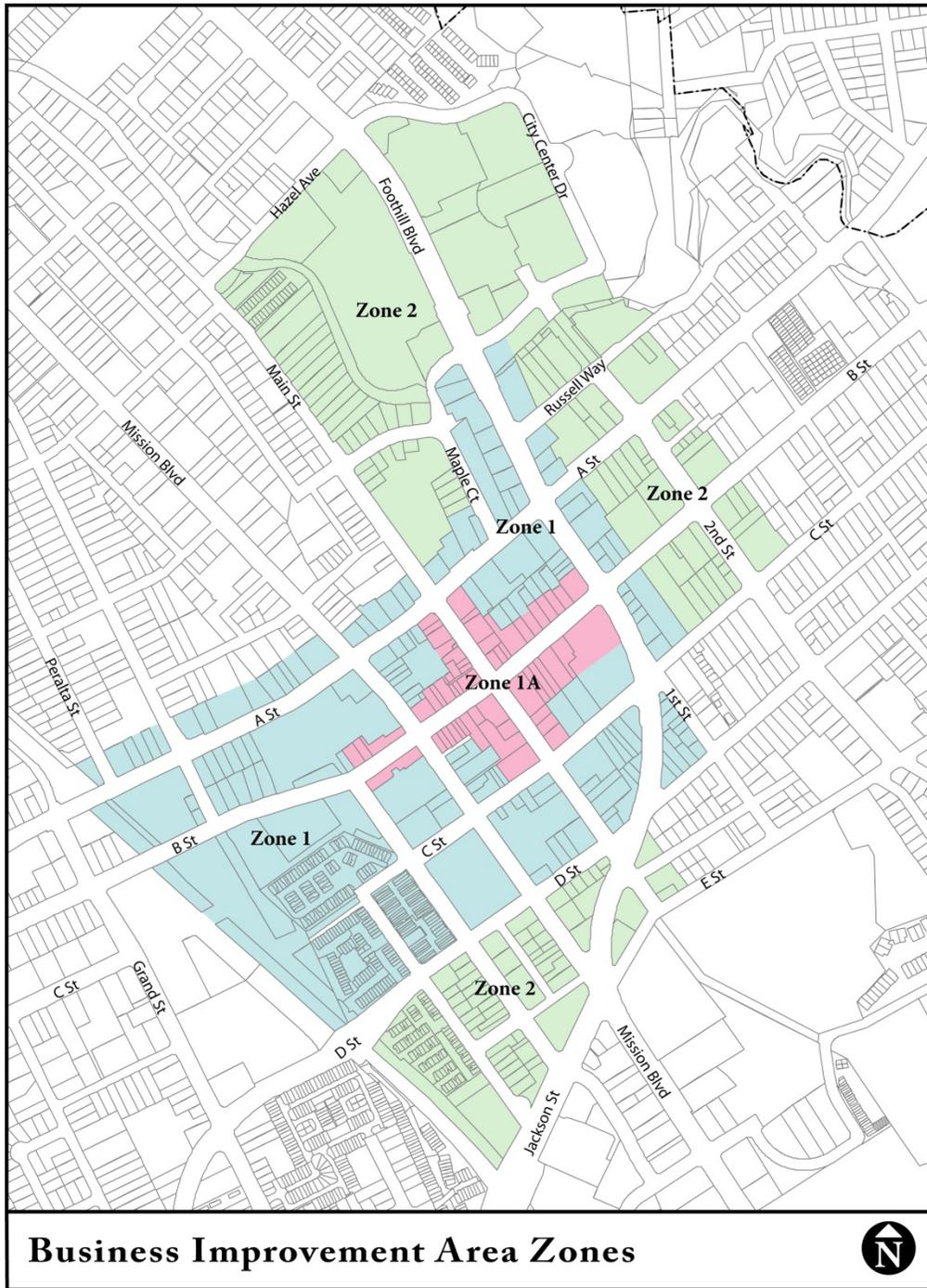
5. CONTRIBUTIONS FROM OTHER SOURCES

The proposed budget includes the use of \$30,000 from the budget reserve.

6. CLOSING STATEMENT OF THE BOARD

The Downtown Hayward BIA Advisory Board will continue to seek input from downtown merchants to ensure that the District’s limited funds best reflect the memberships’ priorities for downtown services. This year the Advisory Board will be especially focused on security, events and sidewalk cleaning.

Figure 1: Map of Downtown Business Improvement District



Services	Zone 1A	Zone 1	Zone 2
Banners	√	√	√
Street Parties, etc.	√		
Side Walk Cleaning (Twice)	√	√	√
Side Walk Cleaning (B Street-Twice)	√		
BIA Members Communications	√	√	√

Business Improvement Area Activities

The Downtown Hayward Business Improvement Area (DBIA) District generates funding for a variety of downtown promotional events, activities and beautification projects.

The DBIA Advisory Board’s vision is: **“To create a safe, clean and inviting downtown that supports existing businesses, attracts new businesses and increases the number of downtown visitors.”**

The DBIA Advisory Board meets quarterly on the first Wednesday of the month unless otherwise noted. All DBIA Business Members are encouraged to attend Advisory Board meetings to help identify services which provide maximum benefits to all members.

The City Council appoints the DBIA Advisory Board and all DBIA fee payers are eligible and encouraged to apply.



Downtown Hayward Business Improvement Area



OFFICE OF THE CITY MANAGER
777 B Street, Hayward, CA 94541-5007
Tel: 510/583-4300 Fax: 510/583-3601

What is a Downtown Business Improvement Area?

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

All businesses within the district are assessed a mandatory fee that contributes to the 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 \$90 to \$525 per year, depending on its location and the type of business.

Annually the Downtown BIA Advisory Board (DBIA) makes recommendations on how assessment fees will be spent to the maximum benefit of all DBIA fee payers. Funds are generally used to support the following goals:

- Maintain a Clean & Safe Downtown
- Increase the Number of Downtown Visitors
- Marketing, Promotions & Communications

DBIA Assessment fees have in the past paid for the following activities: Summer Street Parties; banner rotations and storage; and sidewalk pressure washing.

To obtain up-to-date information about the DBIA, please be sure to include your email address when you return your DBIA assessment fee invoice.

The DBIA Advisory Board, a 9-member board appointed by the City Council, provides guidance on the expenditure of these funds. For additional information about the DBIA Advisory Board or to apply to become a Board member, please contact Economic Development at (510) 583-5540.

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
C Street	1091-1130	
City Center Dr	700-1099	1100-1224 even
D Street		22001-22399 odd
First Street	700-1098 even	701-1029 odd
Foothill Blvd	22701-22799 odd	
Hazel Ave	22380-22694	22253-22370
Jackson St	22696-22803	22805-22899
Main St		1101-1199 odd
Maple Ct		790-898 even
McKeever Ave	22500-22506	22192-22498 even
Mission Blvd	22697-22777	22778-22899
Montgomery Ave	22400-22498 even	22401-22499 odd
Richard Place		1000-1099
Russell Way		22800-22899
Second Street	22484-22799	
Watkins Street	22500-22599	1207-1217
Willis Avenue		1100-1261

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 (510) 583-4640.

Business Classifications

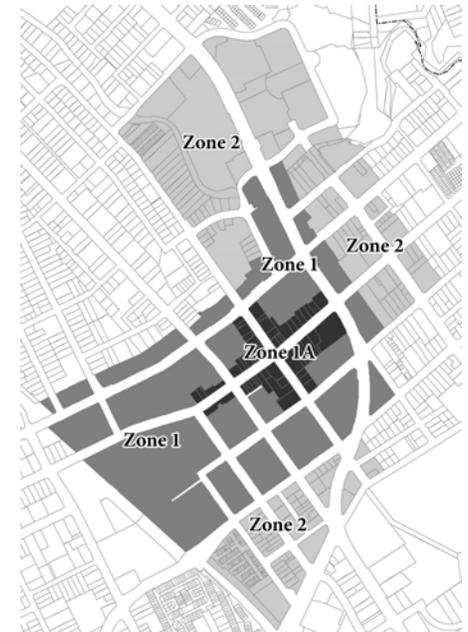
Professional Businesses include, but are not limited to accountants, architects, attorneys, chiropractors, consultants, dentists, designers, engineers, optometrists, osteopaths, physicians, surgeons, and veterinarians.

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.



DATE: June 17, 2014

TO: City Council

FROM: Mayor

SUBJECT: Adoption of a Resolution Approving Extensions and Modifications to Employment Agreements with the City Manager, City Attorney and City Clerk and Authorizing the Mayor to Execute Those Agreements on Behalf of the Council

RECOMMENDATION

That the City Council adopts the attached Resolutions authorizing extensions and modifications to employment agreements between the City of Hayward and the City Manager, City Attorney, and City Clerk; and authorizing the Mayor to execute those agreements on behalf of the Council.

SUMMARY

Each year, the City Council determines whether to renew the employment agreements (consistent with the current agreement terms) with each of its Council Appointed Officers: the City Manager, City Attorney, and City Clerk. For the past several years, the renewal of these employment agreements has included salary and benefit concessions consistent with Council direction to all bargaining groups in the City. This past fall, the Council completed performance evaluations for each of the Officers and wishes to renew the three employment agreements through June 30, 2015. This year, each of the three employees will pick up additional benefit concessions that include increased contributions to medical premiums. These concessions will save the City an additional \$5,000 annually, on top of the \$76,554 in savings that will continue from prior concessions taken by these employees. No salary increases are proposed for the three Council Appointed Officers in this fiscal year.

BACKGROUND

The City Manager, City Attorney, and City Clerk are each Council-Appointed Officers. Their performance and contracts are reviewed and approved annually by Council. The current employment agreements with the City Manager, City Attorney, and City Clerk will expire on June 30, 2014, unless renewed on or before that date.

The performance of each of the Council Appointed Officers was recently reviewed by Council. Based on these performance reviews, the Council has expressed a desire to extend the terms of employment for the City Manager, City Attorney, and City Clerk through June 30, 2015. This report and attached resolutions are being presented at the direction of Council to renew Council Appointed Officer contracts through FY 2015.

The City of Hayward regularly reviews salaries to ensure that its compensation is competitive enough to recruit and retain highly qualified employees at all levels. The City generally utilizes pre-identified comparable agencies to determine market comparability for most of the labor groups in the City: Alameda, Berkeley, Daly City, Fremont, Palo Alto, Richmond, San Leandro, San Mateo, Santa Clara, and Vallejo. The annual survey for each of the Council Appointed Officers indicated that both base pay and total compensation (base salary and all employer paid benefits) of the City Manager, City Attorney, and City Clerk are second to the lowest of those agencies surveyed.

The table below shows current salaries, total compensation and the average salary for the survey agencies. This data is presented for information only. As is noted in the Discussion section below, there is no recommendation to increase total compensation for any of the three Council Appointed Officers. Their employment agreements for FY2015 include further salary/benefit concessions consistent with Council direction for achievement of structural cost savings from each employee group in the City.

Officer	Base Salary	Total Compensation	Avg. Market Total Compensation	Difference Between Avg. Market and Current Total Compensation
City Manager	\$222,643	\$291,352	\$345,776	\$54,424 (below avg market)
City Attorney	\$185,099	\$246,166	\$290,531	\$44,365 (below avg market)
City Clerk	\$114,067	\$160,675	\$195,868	\$35,193 (below avg market)

DISCUSSION

The proposed agreements provide for continued cost savings to the City during FY 2015 by linking salary and benefit reductions of the City Manager, City Attorney, and City Clerk to at least the same reductions applicable to the Unrepresented Management employees.

In entering into this extension, the City Manager, City Attorney, and City Clerk all recognize the continued fiscal difficulties faced by the City. To that end, they have all committed to participating in the City's cost savings efforts during FY 2015 by agreeing to at least the same salary and benefit terms as applicable to the City's Unrepresented Management employees, which includes waivers of any cost of living adjustments to salary and accepting increased employee contributions to benefits.

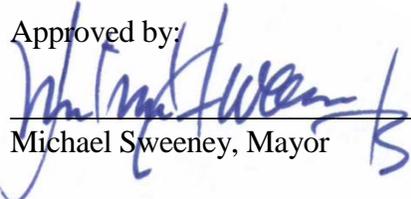
The attached contracts contain all elements of salary and compensation for each Council Appointed Officer and present that compensation and contract terms in full transparency. Per Council direction and City practice, these contracts, once approved by Council, will be posted on the City's web site along with all other City labor agreements and bargaining group Memoranda of Understanding and associated documents.

FISCAL IMPACT

The estimated General Fund annual savings of approximately \$76,554 continue from FY 2013 and result from agreeing to no salary increase or COLA, ending City contributions to deferred compensation, and continuing cost-sharing of health and retirement benefits. These savings are structural and ongoing. These savings continue in FY 2015 and increase by approximately \$5,000 annually as a result of the additional concessions in FY2015. It is also noteworthy that there is no current recommendation for market equity adjustments to compensation, which could result in an increased annual cost of approximately \$134,000 if these adjustments were made.

Prepared and Recommended by: Nina Collins, Acting Human Resources Director

Approved by:



Michael Sweeney, Mayor

Attachments:

- Attachment I: Resolution Approving the Extension and Modification of the City Manager's Employment Agreement and Authorizing the Mayor to Execute the Agreement on Behalf of the Council
- Attachment II: Resolution Approving the Extension and Modification of the City Attorney's Employment Agreement and Authorizing the Mayor to Execute the Agreement on Behalf of the Council
- Attachment III: Resolution Approving the Extension and Modification of the City Clerk's Employment Agreement and Authorizing the Mayor to Execute the Agreement on Behalf of the Council
- Attachment IV: City Manager's Employment Agreement
- Attachment V: City Attorney's Employment Agreement
- Attachment VI: City Clerk's Employment Agreement

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-

Introduced by Council Member _____

RESOLUTION APPROVING THE EXTENSION AND MODIFICATION OF THE CITY MANAGER'S EMPLOYMENT AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNCIL

WHEREAS, the City of Hayward and the City Manager E. Frances David entered into an employment agreement on June 25, 2013; and

WHEREAS, the employment agreement will expire on June 30, 2014 unless renewed by the parties on or before June 30, 2014; and

WHEREAS, the City Council wishes to renew the agreement, subject to the modification that the City Manager agrees to the same employees savings commitment that applies to the City's unrepresented management employees for Fiscal Year 2015.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Council hereby approves the extension and modification of the City Manager's employment agreement on file in the office of the City Clerk, and authorizes the Mayor to execute the agreement on behalf of the City Council.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2014

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-

Introduced by Council Member _____

RESOLUTION APPROVING THE EXTENSION AND MODIFICATION OF THE CITY ATTORNEY'S EMPLOYMENT AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNCIL

WHEREAS, the City of Hayward and the City Attorney Michael Lawson entered into an employment agreement on June 25, 2013; and

WHEREAS, the employment agreement will expire on June 30, 2014 unless renewed by the parties on or before June 30, 2014; and

WHEREAS, the City Council wishes to renew the agreement, subject to the modification that the City Attorney agrees to the same employees savings commitment that applies to the City's unrepresented management employees for Fiscal Year 2015.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Council hereby approves the extension and modification of the City Attorney's employment agreement on file in the office of the City Clerk, and authorizes the Mayor to execute the agreement on behalf of the City Council.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2014

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-

Introduced by Council Member _____

RESOLUTION APPROVING THE EXTENSION AND MODIFICATION OF THE CITY CLERK'S EMPLOYMENT AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNCIL

WHEREAS, the City of Hayward and the City Clerk Miriam Lens entered into an employment agreement on June 25, 2013; and

WHEREAS, the employment agreement will expire on June 30, 2014 unless renewed by the parties on or before June 30, 2014; and

WHEREAS, the City Council wishes to renew the agreement, subject to the modification that the City Clerk agrees to the same employees savings commitment that applies to the City's unrepresented management employees for Fiscal Year 2015.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Council hereby approves the extension and modification of the City Clerk's employment agreement on file in the office of the City Clerk, and authorizes the Mayor to execute the agreement on behalf of the City Council.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2014

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

Hayward City Manager Employment Agreement: July 1, 2014 through June 30, 2015

Introduction

This Agreement, entered into for convenience purposes this 10th day of June 2014, by and between the City of Hayward, a chartered California City and municipal corporation (hereinafter called "Employer"), and E. Frances David, (hereinafter called "Employee"), an individual, who has the education training and experience in local government management. The effective date of this Agreement is July 1, 2014.

Section 1 Term

Employee's current agreement with Employer shall remain in effect until June 30, 2014. The term of this Agreement is July 1, 2014, through June 30, 2015. Thereafter, this Agreement shall be renewed on or before its anniversary date for terms of one (1) year until terminated by either party or modified by mutual agreement as hereinafter provided. The anniversary date is every June 30.

Section 2 Duties and Authority

Employer agrees to employ Employee as City Manager to perform the functions and duties specified in Article VII sections 700 et seq. of the Hayward City Charter and such other lawful and appropriate duties and functions as directed by the City Council. Employee shall be a member in good standing of the International City/County Management Association (ICMA) and shall adhere to ICMA principles and tenets. Employee shall maintain current her ICMA Credentialed Manager standing for the term of employment. The Employer agrees to pay Employee's ICMA dues.

Section 3 Compensation

The Employer agrees to pay Employee an annual base salary of \$222,642.86. This salary is the same as Employee's base salary during Fiscal Year 2014. During the term of this Agreement, Employer agrees to pay Employee on the same schedule as other City of Hayward employees, which is currently bi-weekly.

Section 4 Health Disability Life Insurance and Other Benefits

Upon commencing employment, Employer agrees to provide and to pay the premiums for health, hospitalization, surgical, vision, dental, and comprehensive medical insurance for Employee and her dependents equal to that which is provided to all unrepresented management employees of Employer.

Similarly, Employer agrees to obtain and to make required premium payments for short term and long term disability insurance coverage for Employee while this Agreement is in effect.

Employer shall also pay for term life insurance for Employee in an amount equal to Employee's gross annual salary (including all salary increases during the life of this Agreement) or Employer's maximum allowable amount of term life insurance coverage under Employer's contract with its insurer, if said amount is less than Employee's gross annual salary. Employee shall have the right to choose the beneficiary on such policies.

In addition to the benefits set forth herein, all actions taken by the City Council relating to benefits for Unrepresented Management Employees shall be considered actions granting the same level of benefits to Employee, unless mutually agreed otherwise between Employer and Employee.

Employer provides employees with access to a deferred compensation plan. Employer will not provide an employer contribution to the deferred compensation plan.

Section 5 Vacation and Sick Leave

Upon commencing employment, Employee was credited with the existing sick and vacation leave hours of accrued leave as reflected in the existing City of Hayward account for Employee from her previous positions as Assistant City Manager and Acting City Manager. Employee shall continue to accrue sick and vacation leave on an annual basis at the rate specified in Employee's current agreement or at the rate afforded Unrepresented Management Employees, whichever is higher, unless and until this Agreement is amended.

Employee shall be entitled to eighty (80) hours of administrative leave annually as provided in the Salary and Benefits Resolution for Unrepresented Management Employees. Employee shall be entitled to take a total of thirty-five (35) work days combined leave (i.e., vacation and administrative leave) annually, and shall take no more than fifteen (15) work days of said leave at any one time, exclusive of holidays recognized by Employer, to which Employee shall also be entitled. Upon approval of the Council, leave may be extended beyond the fifteen (15) work day limit established above.

In the event of termination, either voluntarily or involuntarily, Employee shall be compensated for accrued sick and vacation time as of the date of termination as provided in the Salary and Benefits Resolution for Unrepresented Management Employees.

Section 6 Automobile and Monthly Expense Allowance

Employee shall not be entitled to any additional compensation for the work-related use of her personal automobile related to the duties of City Manager; nor shall she be entitled to any cellular phone allowance. Employer agrees to provide Employee mileage reimbursement as the same level as provided for Unrepresented Management employees.

Section 7 Retirement

Employee shall be required to pay the Employee portion of the PERS contribution by paying eight percent (8%).

Section 8 Employee Savings Commitment

Effective the pay period including July 1, 2012, Employee shall contribute equivalent to the same percentage of employee cost savings as the Executive members of the Unrepresented Management Employees, unless and until this Agreement is amended. Furthermore, any employee cost savings achieved through increased employee contributions towards PERS retirement contributions or medical plan premiums shall be credited towards the overall percentage cost savings established for the Unrepresented Management Employees.

Section 9 Termination

Termination of this Agreement may occur under any of the following circumstances:

- A. If a majority of the governing body votes to terminate Employee at a duly authorized public meeting;
- B. If Employer, citizens, or Legislature acts to amend any provisions of the Charter, Ordinances, or appropriate enabling legislation pertaining to the role, powers, duties, authority, and responsibilities of Employee's position, and such amendment substantially changes the form of government, Employee shall have the right to declare that such amendment constitutes termination;
- C. If Employee resigns following an offer by Employer to accept resignation, whether such offer is formal or informal, then Employee may declare a termination as of the date of Employee's acceptance of such formal or informal offer;
- D. If either party fails to cure a breach of contract as declared by either Employer or Employee within a 30-day period after the declaration of such breach of contract, provided written notice of such breach of contract is provided in accordance with provisions of Section 17;
- E. If Employee is convicted of a felony or misdemeanor involving moral turpitude, or if it is established that Employee's performance constitutes malfeasance or gross dereliction of duty;
- F. If Employee fails or refuses to follow a direct, lawful order by Employer; and
- G. If Employee violates one or more tenets or ethical principles of ICMA.

Section 10 Severance

- A. Except as expressly provided herein, severance shall be paid to Employee when employment is terminated in Section 8. If Employee is terminated, Employer shall provide a minimum severance payment equal to ninety (90) days salary and benefits at the then-current rate of pay. This severance shall be paid in a lump sum unless otherwise agreed to by Employer and Employee. Severance does not include life insurance. Employee shall also be compensated for all accrued sick leave, vacation time, all paid holidays and executive leave as provided in the Salary and Benefit Resolution for the Unrepresented Management Employees.
- B. If Employee is terminated under any of the circumstances set forth in items E, F, or G of the preceding Paragraph 8, Employer is not obligated to pay severance.

Section 11 Resignation

In the event that Employee voluntarily resigns her position with Employer, Employee shall provide a minimum of ninety (90) days' notice unless the parties agree otherwise.

Section 12 Performance Evaluation

Employer will review the performance of the Employee in December 2014, and at least annually in each succeeding year thereafter. Performance reviews will include at least the identification of mutually agreed upon goals to be achieved by Employee in the ensuing year, as well as a review of compensation for the coming year.

Section 13 Hours of Work

It is recognized that Employee must devote a great deal of time outside the normal office hours on business for Employer, and to that end Employee shall be allowed to establish an appropriate work schedule.

Section 14 Outside Activities

The employment provided for by this Agreement shall be Employee's sole employment, unless otherwise agreed to by Employer prior to Employee engaging in any such other employment.

Section 15 Indemnification

Beyond that required under Federal, State or Local Law, Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim, or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as City Manager or resulting from the exercise of judgment or discretion in connection with the performance of program duties or responsibilities unless the act or omission involved willful or wanton conduct. Employer shall indemnify Employee against any and all losses, damages, judgments, interest, settlements, fines, court costs, and other reasonable other costs and expenses of legal proceedings including attorneys'

fees, and any liabilities incurred by, imposed upon, or suffered by such Employee in connection with or resulting from any claim, action, suit, or proceeding, actual, or threatened, arising out of or in connection with the performance of her duties. Any settlement of any claim must be made with prior approval of Employer in order for indemnification, as provided in this Section, to be available.

Section 16 Bonding

Employer shall bear the full cost of any fidelity or other bonds required of Employee under any law or ordinance.

Section 17 Other Terms and Conditions of Employment

Employer may set such other terms and conditions of employment, as it may determine from time to time, relating to the performance of Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Hayward City Charter, or any other law.

Section 18 Notices

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service postage prepaid addressed as follows:

(1) EMPLOYER: Mayor of the City of Hayward
Hayward City Hall
777 B Street
Hayward California 94541

(2) EMPLOYEE: E. Frances David
Address on File

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 18 General Provisions; Integration; Severability

This Agreement sets forth and establishes the entire understanding between Employer and Employee relating to the employment of the Employee by the Employer. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this Agreement during the life of the Agreement. Such amendments shall be incorporated into and made a part of this Agreement.

The invalidity or partial invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties subsequent to the expungement or judicial modification of the invalid provision.

Dated June 10, 2014

Executed by:

Michael Sweeney
Mayor, City of Hayward

E. Frances David
Employee (City Manager)

ATTEST:

City Clerk of the City of Hayward

APPROVED AS TO FORM

City Attorney of the City of Hayward

City Attorney Employment Agreement: July 1, 2014 through June 30, 2015

Introduction

This Agreement, entered into for convenience purposes this 10th day of June 2014, by and between the City of Hayward, a chartered California City and municipal corporation (hereinafter called "Employer"), and Michael Lawson, (hereinafter called "Employee"), an individual, who is licensed to practice law in the State of California, a member in good standing of the California Bar Association and possesses the extensive knowledge and training required to perform the duties of City Attorney. The effective date of this Agreement is July 1, 2014.

Section 1 Term

Employee's current agreement with Employer shall remain in effect until June 30, 2014. The term of this Agreement is July 1, 2014, through June 30, 2015. Thereafter, this Agreement shall be renewed on or before its anniversary date for terms of one (1) year until terminated by either party or modified by mutual agreement as hereinafter provided. The anniversary date is every June 30.

Section 2 Duties and Authority

Employer agrees to employ Employee as City Attorney to perform the functions and duties specified in Article VIII section 808 et seq. of the Hayward City Charter and such other lawful and appropriate duties and functions as directed by the City Council. Employee shall be licensed to practice law in the State of California for the duration of employment. The Employer agrees to pay Employee's cost of annual bar association membership.

Section 3 Compensation

The Employer agrees to pay Employee an annual base salary of \$185,103.20. This salary is the same as Employee's base salary during Fiscal Year 2013. During the term of this Agreement, Employer agrees to pay Employee in equal installments on the same schedule as other City of Hayward employees, which is currently bi-weekly.

Section 4 Health, Disability, Life Insurance and Other Benefits

Upon commencing employment, Employer agrees to provide and to pay the premiums for health, hospitalization, surgical, vision, dental and comprehensive medical insurance for Employee and his dependents equal to that which is provided to all unrepresented management employees of Employer.

Similarly, Employer agrees to obtain short term and long term disability insurance coverage for Employee while this Agreement is in effect. Employer shall obtain term life insurance for Employee in an amount equal to Employee's gross annual salary (including all salary increases

during the life of this Agreement) or Employer's maximum allowable amount of term life insurance coverage under Employer's contract with its insurer, if said amount is less than Employee's gross annual salary. Employee shall have the right to choose the beneficiary on such policies.

In addition to the benefits set forth herein, all actions taken by the City Council relating to benefits for Unrepresented Management Employees shall be considered actions granting the same level of benefits to Employee, unless mutually agreed otherwise between Employer and Employee.

Employer agrees to pay the equivalent cost of the above stated benefits at the same benefit plan level as provided for Unrepresented Management Employees.

Employee is not eligible for a vehicle allowance. Employer agrees to provide Employee mileage reimbursement at the same level as provided for Unrepresented Management employees.

Employer provides employees with access to a deferred compensation plan. Employer will not provide an employer contribution to the deferred compensation plan.

Section 5 Vacation and Sick Leave

Employee shall continue to accrue sick and vacation leave on an annual basis at the rate specified in Employee's current agreement or at the rate afforded Unrepresented Management Employees, whichever is higher, unless and until this Agreement is amended.

Employee shall be entitled to eighty (80) hours of administrative leave annually as provided in the Salary and Benefits Resolution for Unrepresented Management Employees. Employee shall be entitled to accrue a total of thirty-five (35) days combined leave (i.e., vacation and administrative leave) annually, and shall take no more than fifteen (15) work days of vacation or administrative leave at any one time, exclusive of holidays recognized by Employer, to which Employee shall also be entitled. Upon approval of the Council, leave may be extended beyond the fifteen (15) work day limit established above.

In the event of termination, either voluntarily or involuntarily, employee shall be compensated for accrued sick and vacation time as of the date of termination as provided in the Salary and Benefits Resolution for Unrepresented Management Employees.

Section 6 Retirement

Employee shall be required to pay the Employee portion of the PERS contribution by paying eight percent (8%).

Section 7 Employee Savings Commitment

Effective the pay period including July 1, 2012, Employee shall contribute equivalent to the same percentage of employee cost savings as the Executive members of the Unrepresented Management Employees, unless and until this Agreement is amended. Furthermore, any employee cost savings achieved through increased employee contributions towards PERS

retirement contributions or medical plan premiums shall be credited towards the overall percentage cost savings established for the Unrepresented Management Employees.

Section 8 Termination

Termination of this Agreement may occur under any of the following circumstances:

- A. If a majority of the governing body votes to terminate Employee at a duly authorized public meeting;
- B. If Employer, citizens, or Legislature acts to amend any provisions of the Charter, Ordinances, or appropriate enabling legislation pertaining to the role, powers, duties, authority, and responsibilities of Employee's position, and such amendment substantially changes the form of government, Employee shall have the right to declare that such amendment constitutes termination;
- C. If Employee resigns following an offer by Employer to accept resignation, whether such offer is formal or informal, then Employee may declare a termination as of the date of Employee's acceptance of such formal or informal offer;
- D. If either party fails to cure a breach of contract as declared by either Employer or Employee within a 30-day period after the declaration of such breach of contract, provided written notice of such breach of contract is provided in accordance with provisions of Section 17;
- E. If Employee is convicted of a felony or misdemeanor involving moral turpitude, or if it is established that Employee's performance constitutes malfeasance or gross dereliction of duty;
- F. If Employee fails or refuses to follow a direct, lawful order by Employer

Section 9 Severance

- A. Except as expressly provided herein, severance shall be paid to Employee when employment is terminated in Section 8. If Employee is terminated, Employer shall provide a minimum severance payment equal to six (6) months salary and benefits at the then-current rate of pay. This severance shall be paid in a lump sum unless otherwise agreed to by Employer and Employee. Severance does not include life insurance. Employee shall also be compensated for all accrued sick leave, vacation time, all paid holidays and executive leave as provided in the Salary and Benefit Resolution for the Unrepresented Management Employees.
- B. If Employee is terminated under any of the circumstances set forth in items E, or F of the preceding Paragraph 8, Employer is not obligated to pay severance.

Section 10 Resignation

In the event that Employee voluntarily resigns her position with Employer, Employee shall provide a minimum of ninety (90) days' notice unless the parties agree otherwise.

Section 11 Performance Evaluation

Employer will review the performance of the Employee in March 2015, and at least annually in each succeeding year thereafter. Performance reviews will include at least the identification of mutually agreed upon goals to be achieved by Employee in the ensuing year, as well as a review of compensation for the coming year.

Section 12 Hours of Work

It is recognized that Employee must devote a great deal of time outside the normal office hours on business for Employer, and to that end Employee shall be allowed to establish an appropriate work schedule.

Section 13 Outside Activities

The employment provided for by this Agreement shall be Employee's sole employment, unless otherwise agreed to by Employer prior to Employee engaging in any such other employment.

Section 14 Indemnification

Beyond that required under Federal, State or Local Law, Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim, or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as City Attorney or resulting from the exercise of judgment or discretion in connection with the performance of program duties or responsibilities unless the act or omission involved willful or wanton conduct. Employer shall indemnify Employee against any and all losses, damages, judgments, interest, settlements, fines, court costs, and other reasonable other costs and expenses of legal proceedings including attorneys' fees, and any liabilities incurred by, imposed upon, or suffered by such Employee in connection with or resulting from any claim, action, suit, or proceeding, actual, or threatened, arising out of or in connection with the performance of her duties. Any settlement of any claim must be made with prior approval of Employer in order for indemnification, as provided in this Section, to be available.

Section 15 Bonding

Employer shall bear the full cost of any fidelity or other bonds required of Employee under any law or ordinance.

Section 16 Other Terms and Conditions of Employment

Employer may set such other terms and conditions of employment, as it may determine from time to time, relating to the performance of Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Hayward City Charter, or any other law.

Section 17 Notices

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service postage prepaid addressed as follows:

(1) EMPLOYER: Mayor of the City of Hayward
Hayward City Hall
777 B Street
Hayward California 94541

(2) EMPLOYEE: Michael Lawson
Address on File

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 18 General Provisions; Integration; Severability

This Agreement sets forth and establishes the entire understanding between Employer and Employee relating to the employment of the Employee by the Employer. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this Agreement during the life of the Agreement. Such amendments shall be incorporated into and made a part of this Agreement.

The invalidity or partial invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties subsequent to the expungement or judicial modification of the invalid provision.

Dated: June 10, 2014

Executed by:

Michael Sweeney
Mayor, City of Hayward

Michael Lawson
Employee (City Attorney)

APPROVED AS TO FORM:

ATTEST:

Deputy City Attorney

City Clerk of the City of Hayward

City Clerk Employment Agreement: July 1, 2014 through June 30, 2015

Introduction

This Agreement, entered into for convenience purposes this 10th day of June 2014, by and between the City of Hayward, a chartered California City and municipal corporation (hereinafter called "Employer"), and Miriam Lens, (hereinafter called "Employee"), an individual, who has the education, training and experience in local government records management associated with City Clerk duties. The effective date of this Agreement is July 1, 2014.

Section 1 Term

Employee's current agreement with Employer shall remain in effect until June 30, 2014. The term of this Agreement is July 1, 2014, through June 30, 2015. Thereafter, this Agreement shall be renewed on or before its anniversary date for terms of one (1) year until terminated by either party or modified by mutual agreement as hereinafter provided. The anniversary date is every June 30.

Section 2 Duties and Authority

Employer agrees to employ Employee as City Clerk to perform the functions and duties specified in Article VIII section 800 et seq. of the Hayward City Charter and such other lawful and appropriate duties and functions as directed by the City Council. Employee shall be a Certified Municipal Clerk by the International Institute of Municipal Clerks (IICM) and Employee shall maintain current standing for the term of employment. Employee shall adhere to the IICM Code of Ethics. The Employer agrees to pay Employee's cost for certification.

Section 3 Compensation

The Employer agrees to pay Employee an annual base salary of \$114,067.20. This salary is the same as Employee's base salary during Fiscal Year 2014. During the term of this Agreement, Employer agrees to pay Employee in equal installments on the same schedule as other City of Hayward employees, which is currently bi-weekly.

Section 4 Health Disability Life Insurance and Other Benefits

Upon commencing employment, Employer agrees to provide and pay the premiums for health, hospitalization, surgical, vision, dental, and comprehensive medical insurance for Employee and her dependents equal to that which is provided to all unrepresented management employees of Employer.

Similarly, Employer agrees to obtain short term and long term disability insurance coverage for Employee while this Agreement is in effect. Employer shall obtain term life insurance for Employee in an amount equal to Employee's gross annual salary (including all salary increases during the life of this Agreement) or Employer's maximum allowable amount of term life insurance coverage under Employer's contract with its insurer, if said amount is less than

Employee's gross annual salary. Employee shall have the right to choose the beneficiary on such policies.

In addition to the benefits set forth herein, all actions taken by the City Council relating to benefits for Unrepresented Management Employees shall be considered actions granting the same level of benefits to Employee, unless mutually agreed otherwise between Employer and Employee.

Employer agrees to pay the equivalent cost of the above stated benefits at the same benefit plan level as provided for Unrepresented Management Employees.

Employee is not eligible for a vehicle allowance. Employer agrees to provide Employee mileage reimbursement at the same level as provided for Unrepresented Management employees.

Employer provides employees with access to a deferred compensation plan. Employer will not provide an employer contribution to the deferred compensation plan.

Section 5 Vacation and Sick Leave

Employee shall continue to accrue sick and vacation leave on an annual basis at the rate afforded Unrepresented Management Employees, unless and until this Agreement is amended.

Employee shall be entitled to eighty (80) hours of administrative leave annually as provided in the Salary and Benefits Resolution for Unrepresented Management Employees.

Employee shall take no more than fifteen (15) work days of vacation or administrative leave at any one time, exclusive of holidays recognized by Employer, to which Employee shall also be entitled. Upon approval of the Council, leave may be extended beyond the fifteen (15) work day limit established above.

In the event of termination, either voluntarily or involuntarily, Employee shall be compensated for accrued sick and vacation time as of the date of termination as provided in the Salary and Benefits Resolution for Unrepresented Management Employees.

Section 6 Retirement

Employee shall be required to pay the Employee portion of the PERS contribution by paying eight percent (8%).

Section 7 Employee Savings Commitment

Effective the pay period including July 1, 2012, Employee shall contribute equivalent to the same percentage of employee cost savings as the Executive members of the Unrepresented Management Employees, unless and until this Agreement is amended. Furthermore, any employee cost savings achieved through increased employee contributions towards PERS retirement contributions shall be credited towards the overall percentage cost savings established for the Unrepresented Management Employees.

Section 8 Termination

Termination of this Agreement may occur under any of the following circumstances:

- A. If a majority of the governing body votes to terminate Employee at a duly authorized public meeting;
- B. If Employer, citizens, or Legislature acts to amend any provisions of the Charter, Ordinances, or appropriate enabling legislation pertaining to the role, powers, duties, authority, and responsibilities of Employee's position, and such amendment substantially changes the form of government, Employee shall have the right to declare that such amendment constitutes termination;
- C. If Employee resigns following an offer by Employer to accept resignation, whether such offer is formal or informal, then Employee may declare a termination as of the date of Employee's acceptance of such formal or informal offer;
- D. If either party fails to cure a breach of contract as declared by either Employer or Employee within a 30-day period after the declaration of such breach of contract, provided written notice of such breach of contract is provided in accordance with provisions of Section 17;
- E. If Employee is convicted of a felony or misdemeanor involving moral turpitude, or if it is established that Employee's performance constitutes malfeasance or gross dereliction of duty;
- F. If Employee fails or refuses to follow a direct, lawful order by Employer

Section 9 Severance

- A. Except as expressly provided herein, severance shall be paid to Employee when employment is terminated in Section 8. If Employee is terminated, Employer shall provide a minimum severance payment equal to ninety (90) days salary and benefits at the then-current rate of pay. This severance shall be paid in a lump sum unless otherwise agreed to by Employer and Employee. Severance does not include life insurance. Employee shall also be compensated for all accrued sick leave, vacation time, all paid holidays and executive leave as provided in the Salary and Benefit Resolution for the Unrepresented Management Employees.
- B. If Employee is terminated under any of the circumstances set forth in items E, or F of the preceding Paragraph 8, Employer is not obligated to pay severance.

Section 10 Resignation

In the event that Employee voluntarily resigns her position with Employer, Employee shall provide a minimum of ninety (90) days' notice unless the parties agree otherwise.

Section 11 Performance Evaluation

Employer will review the performance of the Employee in February 2015, and at least annually in each succeeding year thereafter. Performance reviews will include at least the identification of

mutually agreed upon goals to be achieved by Employee in the ensuing year, as well as a review of compensation for the coming year.

Section 12 Hours of Work

It is recognized that Employee must devote a great deal of time outside the normal office hours on business for Employer, and to that end Employee shall be allowed to establish an appropriate work schedule.

Section 13 Outside Activities

The employment provided for by this Agreement shall be Employee's sole employment, unless otherwise agreed to by Employer prior to Employee engaging in any such other employment.

Section 14 Indemnification

Beyond that required under Federal, State or Local Law, Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim, or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as City Clerk or resulting from the exercise of judgment or discretion in connection with the performance of program duties or responsibilities unless the act or omission involved willful or wanton conduct. Employer shall indemnify Employee against any and all losses, damages, judgments, interest, settlements, fines, court costs, and other reasonable other costs and expenses of legal proceedings including attorneys' fees, and any liabilities incurred by, imposed upon, or suffered by such Employee in connection with or resulting from any claim, action, suit, or proceeding, actual, or threatened, arising out of or in connection with the performance of her duties. Any settlement of any claim must be made with prior approval of Employer in order for indemnification, as provided in this Section, to be available.

Section 15 Bonding

Employer shall bear the full cost of any fidelity or other bonds required of Employee under any law or ordinance.

Section 16 Other Terms and Conditions of Employment

Employer may set such other terms and conditions of employment, as it may determine from time to time, relating to the performance of Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Hayward City Charter, or any other law.

Section 17 Notices

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service postage prepaid addressed as follows:

(1) EMPLOYER: Mayor of the City of Hayward
Hayward City Hall
777 B Street
Hayward California 94541

(2) EMPLOYEE: Miriam Lens
Address on File

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 18 General Provisions; Integration; Severability

This Agreement sets forth and establishes the entire understanding between Employer and Employee relating to the employment of the Employee by the Employer. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this Agreement during the life of the Agreement. Such amendments shall be incorporated into and made a part of this Agreement.

The invalidity or partial invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties subsequent to the expungement or judicial modification of the invalid provision.

Dated June 10, 2014

Executed by:

Michael Sweeney
Mayor, City of Hayward

Miriam Lens
Employee (City Clerk)

ATTEST:

APPROVED AS TO FORM

City Attorney, City of Hayward

Deputy City Clerk, City of Hayward

DATE: June 17, 2014

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Assessments for Fiscal Year 2015, and set July 15, 2014, as the Public Hearing Date for Such Actions for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13

RECOMMENDATION

That the City Council adopts the attached resolution (Attachment I).

SUMMARY

The annual Engineer's Report (the Report) for Consolidated Landscaping and Lighting District No. 96-1 (the 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 for each 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 FY 2015.

The annual assessment amounts for FY 2015 for properties in some benefit zones are proposed to be levied below their base maximum assessment amounts (zones 3, 7, 8, 9, 10, 11 and 13), while assessments for other properties are proposed to be levied at their base maximum assessment amounts (zones 1, 2, 4, 5, 6 and 12). Only benefit zones 3 and 7 thru 13 can have their base maximum assessments increased each fiscal year based upon the prior year's increase in the consumer price index (CPI). These assessment increases would be in compliance with the provisions of Proposition 218 because they would not exceed the previously established assessment formulas that incorporated a CPI adjustment factor.

BACKGROUND

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 operating, maintaining and servicing landscaping and lighting improvements in public areas.

The 1972 Act requires that an annual review and updated Engineer's Report be prepared to set assessment amounts for landscaping and lighting districts each fiscal year. The assessment amounts

may or may not change from fiscal year to fiscal year, dependent upon maintenance to be performed, and cannot exceed the base maximum assessment amounts established when the districts were originally formed, plus a CPI adjustment, where applicable.

In 1996, six separate Landscaping and Lighting Districts, Benefit Zones 1-6, were consolidated into one district, Consolidated Landscaping and Lighting District No. 96-1 (the District), by the adoption of Resolution No. 96-63. In subsequent years, Benefit Zones 7-13 were individually created and annexed into the District. 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	557
12	Eden Shores East	2007	Residential	261
13	Cannery Place (current & future development)	2008	Residential	599
Total				2,891

Table 2 on the following page lists the assessment amounts in Fiscal Year 2014, the assessment amounts recommended to be levied for Fiscal Year 2015, and the base maximum assessment rates for each benefit zone.

TABLE 2: ASSESSMENT AMOUNTS PER BENEFIT ZONE

Zone Number	Name/Location	Fiscal Year 2014 Assessment Amount	Fiscal Year 2015 Assessment Amount	Maximum Base Assessment Amount	CPI Index Adjustment
1⁽¹⁾	Huntwood Ave. & Panjon St.	\$230.00	\$265.64	\$265.64	No
2⁽¹⁾	Harder Rd. & Mocine Ave.	\$93.08	\$93.08	\$93.08	No
3	Hayward Blvd. & Fairview Ave.	\$782.20	\$782.20	\$829.71	Yes
4⁽¹⁾	Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk.	\$121.00	\$121.00	\$121.00	No
5⁽¹⁾	Soto Rd. & Plum Tree St.	\$139.12	\$139.12	\$139.12	No
6^(1,2)	Peppertree Park	\$2.00	\$2.61	\$2.61	No
7	Mission Blvd., Industrial Pkwy, & Arrowhead Wy.	\$537.00	\$553.00	\$867.85	Yes
8	Capitola St.	\$350.00	\$250.00	\$620.69	Yes
9	Orchard Ave.	\$25.00	\$10.00	\$165.73	Yes
10	Eden Shores	\$356.20	\$356.20	\$988.24	Yes
11	Stonebrae Country Club (Current Development)	\$379.42	\$379.42	\$1,401.67	Yes
11	Stonebrae Country Club (Future Development)	\$200.94	\$200.94	\$1,401.67	Yes
12⁽¹⁾	Eden Shores East - Sports Park	\$182.02	\$185.72	\$185.72	Yes
13	Cannery Place	\$150.00	\$150.00	\$1,054.00	Yes

Notes: ⁽¹⁾ Bolded items reflect Fiscal Year 2015 assessment amounts levied at the base maximum assessment amounts.

⁽²⁾ Zone 6 is in the industrial district and is assessed based upon street frontage.

Except for Zone 12, the City administers all Capital Reserve funds for all benefit zones, which 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 Hayward Area Recreation and Park District (HARD) allows HARD to maintain the Eden Shores Park (aka Alden E. Oliver Sports Park) within this zone. The collected assessment pays for the City’s administrative costs and a portion of the HARD maintenance services cost for the Eden Shores Park. The Zone 12 Capital Reserve fund is administered by HARD.

DISCUSSION

Zone 1 – Huntwood Avenue & Panjon Street – For Fiscal Year 2015, the assessment amount will be increased from \$230.00 to \$265.64 per parcel. The increase is needed for irrigation repairs and to add additional bark, mulch, shrubs and trees to the landscaping area along Huntwood Avenue adjacent to the development. The assessment amount for this zone is at the maximum base assessment amount of \$265.64 per parcel.

Zone 3 – Prominence Residential – For Fiscal Year 2015, the Prominence Landscape Committee will continue to shift its focus from funding major capital improvements to funding major maintenance issues. The proposed maintenance projects for FY 2015 consist of: 1) entrance sign painting; 2) cleaning cobblestone drainage borders; 3) Calsense irrigation upgrades; and 4) annual replanting, major mulching, tree removal, graffiti abatement and modification of drip sprinkler lines.

The assessment amount for this zone will be the same as last fiscal year (\$782.20 per parcel), and is below the maximum assessment rate of \$829.71 per parcel.

Zone 6 – Peppertree Park – For Fiscal Year 2015, the assessment amount will be increased from \$2.00 per linear foot of street frontage to \$2.61 per linear foot. The increase is needed for landscape median repairs and improvements along San Clemente Street between Zephyr Avenue and San Antonio Street. The assessment amount for this zone is at the maximum base assessment amount of \$2.61 per linear foot.

Zone 7 – Twin Bridges Residential – The estimated budget for Fiscal Year 2015 in this zone is approximately \$188,800, which is approximately \$4,800 or 2.6% more than the Fiscal Year 2014 budget of \$184,000, due mainly to increased water costs and increased costs to maintain the two acre neighborhood park by the Hayward Area Recreation and Park District. Therefore, the assessment amount for Fiscal Year 2015 will be increased by \$16.00 from \$537.00 to \$553.00 per parcel. The assessment amount for this zone is below the maximum assessment rate of \$867.85 per parcel.

Zone 8 – Capitola Street – The estimated budget for Fiscal Year 2015 in this zone is \$5,879, which is approximately \$2,400 or 28% less than the Fiscal Year 2014 budget of \$8,245. The assessment amount for Fiscal Year 2015 will be decreased by \$100 from \$350 to \$250 per parcel because there are sufficient operating and capital reserves. The assessment amount for this zone is below the maximum assessment rate of \$620.69 per parcel.

Zone 9 – Orchard Avenue – The estimated budget for Fiscal Year 2015 in this zone is approximately \$1,800, which is approximately the same as the Fiscal Year 2014 budget of \$1,805. Therefore, the assessment amount for Fiscal Year 2015 will be decreased from \$25 to \$10 per parcel because there are sufficient operating and capital reserves. The assessment amount for this zone is below the maximum assessment rate of \$165.73 per parcel.

Zone 10 – Eden Shores Residential – The estimated budget for Fiscal Year 2015 is approximately \$187,000, which is approximately the same as in Fiscal Year 2014. Therefore, no assessment increase is proposed for FY 2015. The Eden Shores Homeowners Association (HOA) has a maintenance contract with the City, which allows the HOA to perform maintenance work and be reimbursed for such work by the City using Zone 10 funds. The HOA has requested that its maintenance contract be renewed. Therefore, staff recommends that the current contract with Eden Shores HOA be continued for another year with approximately the same estimated budget as in Fiscal Year 2014. The assessment amount for this zone will remain below the maximum assessment rate of \$988.24 per parcel.

Zone 11 – Stonebrae Development - The estimated budget for Fiscal Year 2015 is approximately \$194,000, which is slightly less than the Fiscal Year 2014 budget of \$201,000. However, expenses for maintenance in this zone are still expected to exceed anticipated revenue from assessments by approximately \$16,000. Staff is proposing to hold the assessment at the same level as FY 2014 for two reasons: Zone 11 has healthy capital reserves, so decreasing the reserves to cover the operating shortfall will not have a detrimental impact, and in FY 2016, staff is expecting an additional 65 lots to be added to the assessment roll – the additional revenue from this future development will bring

revenues for this zone in line with proposed expenditures. Therefore, no assessment increase is proposed for FY 2015.

Similar to the Eden Shores residential development, the Stonebrae HOA also has a maintenance contract with the City, where maintenance work associated within 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 and City staff recommend that the current contractors be retained to perform the maintenance work. The assessment amount for this zone is below the maximum assessment rate of \$1,401.67 per parcel.

Proposed Changes in Other Zones - The attached Engineer's Report (Attachment II) includes separate budgets for each benefit zone. Only the costs for the Engineer's Report, printing, and noticing are shared between the benefit zones. The Fiscal Year 2015 assessments shown in the attached Report that are recommended to be assessed on the Fiscal Year 2015 tax roll are calculated by considering all anticipated expenditures for maintenance, utilities, and administration. Assessment amounts can be less than the base maximum assessment amount for each benefit zone if there are adequate surplus funds available from the prior year, which are carried forward. Therefore, the annual assessment amounts for benefit zones 3, 7, 8, 9, 10, 11 and 13 are proposed to be levied below the base maximum assessment amounts, and the annual assessment amounts for benefit zones 1, 2, 4, 5, 6 and 12 are proposed to be levied at the base maximum assessment amounts.

Proposition 218 Compliance - The increase in the base maximum assessment amount that can be levied in Fiscal Year 2015 is in compliance with the provisions of Proposition 218, because the base maximum assessment does not exceed the previously approved assessment formula. Increases in the base maximum assessments in Zones 3 and 7 thru 13, and the increased annual assessment amounts in Zones 1, 6, 7 and 12 are in compliance with the provisions of Proposition 218. Any future increases in the assessment amounts up to the maximum base assessment amounts 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 from this recommendation because expenditures are to be paid for by the Consolidated Landscaping and Lighting District No. 96-1 fund accounts, with some augmentation from operating and reserve balance for some zones.

PUBLIC CONTACT

A public meeting was held on May 8, 2014 for the property owners within the District. At that meeting, staff was available to explain the District's responsibilities and funding, and property owners were given the opportunity to ask questions regarding assessments and services. There were five property owners in attendance from Landscaping and Lighting District No. 96-1, who represented Zones 3, 7, 10 and 13.

Prominence (Zone 3)

- One property owner stated that the newly installed Cal-sense system at Prominence was a good decision and was a good value to the residents.

Twin Bridges (Zone 7)

- One property owner said they were pleased with the recent plantings made along Arrowhead Way.
- The same property owner wanted to make sure the budget for FY 14-15 included the additional work the HOA requested. They were informed that the additional maintenance work had been budgeted.

Eden Shores (Zone 10)

- Two property owners (husband and wife) wanted to know if their annual assessment pays for graffiti removal on the masonry walls running along the perimeter of the development adjacent to the railroad tracks. They were told it does and if they see graffiti to call the City Maintenance Services Department for removal.
- The same two property owners (husband and wife) wanted to make sure the City is getting other estimates for the landscaping near the roundabout on Sandcreek Drive. They thought the estimates that the City has received in the past had been too high. They were told the City Maintenance Services Department would follow up with them.
- The same two property owners (husband and wife) claimed that this is the first year they have received a property owner's meeting notice in the mail.
- The same two property owners (husband and wife) were unaware that the property owners for Eden Shores incur the costs of maintenance for Eden Shores Park. They claimed that there is constant loitering and would like there to be more police surveillance in the park.

Cannery Place (Zone 13)

- One property owner appeared at the meeting; she had no questions or comments related to Landscaping and Lighting District Zone 13.

Property owners are also able to raise concerns about their assessments during the July 15, 2014 Council hearing. Before the City Council public hearing on July 15, 2014, notices of the hearing will be published once in *The Daily Review* newspaper and sent to all affected property owners.

NEXT STEPS

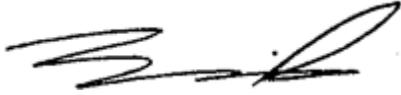
Once the City Council adopts the attached resolution of intention, the following next steps will occur:

1. On July 15, 2014, Council will hold a public hearing to consider approving the Engineer's Report and ordering the levy of assessments for Fiscal Year 2015 for Landscaping and Lighting District No. 96-1, Zones 1 through 13.

Prepared by: Shahram Aghamir, P.E., Development Review Engineer

Recommended by: David Rizk, Development Services Director

Approved by:



Fran David, City Manager

Attachments:

Attachment I Resolution

Attachment II Preliminary Engineer's Report

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-_____

Introduced by Council Member _____

RESOLUTION PRELIMINARILY APPROVING ENGINEER'S REPORT,
DECLARING INTENTION TO LEVY ASSESSMENTS FOR FISCAL
YEAR 2015 FOR CONSOLIDATED LANDSCAPING AND LIGHTING
DISTRICT NO. 96-1, ZONES 1-13, AND SETTING JULY 15, 2014,
AS THE PUBLIC HEARING DATE

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

1. On May 7, 1996, the Consolidated Landscaping and Lighting District No. 96-1, Zones 1-6 (the "District") was established by the adoption of Resolution No. 96-93 and, subsequently, Zones 7-13 were respectively annexed to the District.
2. The Engineer of Work has prepared a report in accordance with the provisions of Article XIID, Section 4, of the California Constitution, provisions of the Landscaping and Lighting Act of 1972, and Section 22500 *et seq.* of the California Streets and Highways Code. Said report has been made, filed, and duly considered by this City Council and is hereby deemed sufficient and preliminarily approved. Said report shall stand as the report for all subsequent proceedings relating to the proposed levy of District assessments for fiscal year 2015.
3. It is the intention of the City Council to order the levy and collection of assessments within the District for fiscal year 2015.
4. Reference is hereby made to the aforementioned report on file with the City Clerk for a full and detailed description of the improvements, the boundaries of the proposed maintenance district, and the proposed assessments upon assessable lots within said district.
5. A public hearing shall be held on the levy of the proposed assessments before this Council on July 15, 2014, at the hour of 7:00 p.m., in the regular meeting place of this City Council, City Council Chambers, 777 B Street, Hayward, California. Prior to the conclusion of said public hearing, any interested person may file a written protest with the City Clerk, or having previously filed a protest, may file a written withdrawal of that protest. A written protest by a

property owner shall contain a description sufficient to identify the property owned by such owner.

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

IN COUNCIL, HAYWARD, CALIFORNIA June 17, 2014

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

PRELIMINARY ENGINEER'S REPORT

CITY OF HAYWARD

CONSOLIDATED LANDSCAPING &
LIGHTING ASSESSMENT DISTRICT No. 96-1

Fiscal Year 2015



June 17, 2014

	Page No.
Agency Directory	3
Certificates	4
SECTION I Introduction	5
Table 1: Description of Existing Benefit Zones	5
Table 2: Assessment Amounts 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 2015 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 2015 Assessment Roll	

CITY COUNCIL MEMBERS AND CITY STAFF

Michael Sweeney
Mayor

Barbara Halliday
Council Member

Greg Jones
Council Member

Al Mendall
Council Member

Marvin Peixoto
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

Shahram Aghamir, P.E.
Engineer of Work

ENGINEER'S REPORT
CITY OF HAYWARD
LANDSCAPING & LIGHTING ASSESSMENT DISTRICT No. 96-1
FISCAL YEAR 2015

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 XIII D, 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: _____
Shahram Aghamir, P.E.
RCE No. 48095

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 _____, 2014.

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 _____, 2014.

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 _____, 2014.

By: _____
Shahram Aghamir, P.E.
RCE No. 48095

SECTION I
INTRODUCTION

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

FISCAL YEAR 2015

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	576
12	Eden Shores East	2007	Residential	261
13	Cannery Place	2008	Residential	599
Total				2,910

Benefit Zone No. 1 assessment amount will be increased from \$230.00 to \$265.64 per parcel in FY 2015. In FY 2015 the City plans to improve the landscape area in front of the masonry wall along Huntwood Avenue with additional bark, mulch, shrubs and trees along with irrigation repairs at an estimated cost of \$4,000. The assessment amount for this zone is at their maximum base assessment amount of \$265.64 per parcel.

Benefit Zone No. 2 assessment amount will be \$93.08 per parcel, which is the same amount as in FY 2014. The assessment amount for this zone is at their maximum base assessment amount of \$93.08 per parcel.

In 1992, Benefit Zone No. 3 was established and the maximum base assessment amount 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 amount per parcel was increased from \$328.82 to \$1,023.56 per parcel. This increase in the maximum base assessment amount consisted of two components; \$694.52/yr. for maintenance and \$329.04/yr. for the construction of capital improvements. The maximum base assessment amount for constructing the capital improvements was only charged for three (3) years. In FY 2009 the maximum base assessment amount increase associated with the construction of capital improvements was eliminated. Each fiscal year, commencing in FY 2009, the maximum base assessment amount 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. For FY 2015 the assessment amount will be \$782.20 per parcel, which is the same amount as in FY 2014 and below the maximum base assessment amount of \$829.71 per parcel. In FY 2015 the Landscape Committee will continue to shift its focus from funding major capital improvements to funding major maintenance issues. The proposed maintenance projects for FY 2015 consist of: 1) entrance sign painting, 2) cleaning cobblestone drainage borders, 3) calsense upgrades, 4) annual replanting, major mulching, tree removal, graffiti abatement and modify drip sprinkler lines. The assessment amount for this zone is below the maximum assessment amount of \$829.71 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 4 assessment amount will be \$121.00 per parcel, which is the same amount as in FY 2014. The assessment amount for this zone is at their maximum base assessment amount of \$121.00 per parcel.

Benefit Zone No. 5 assessment amount will be \$139.12 per parcel, which is the same amount as in FY 2014. The assessment amount for this zone is at their maximum base assessment amount of \$139.12 per parcel.

Benefit Zone No. 6 assessment amount will be increased from \$2.00 to \$2.61 per foot of parcel street frontage in FY 2015. In FY 2015 the City plans to improve the landscaped medians at an estimated cost of \$5,000. The assessment amount for this zone is at their maximum base assessment amount of \$2.61 per foot of parcel street frontage.

Benefit Zone No. 7 assessment amount will be increased from \$537.00 to \$553.00 per parcel in FY 2015. The increase in the assessment amount is due to increased water costs and increased costs to maintain the 2.00 acre park that is maintained by the Hayward Area Recreation and Park District (HARD). The assessment amount for this zone is below their maximum base assessment amount of \$867.85 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 8 assessment amount will be reduced from \$350.00 to \$250.00 per parcel in FY 2015 because there are healthy reserves. The assessment amount for this zone is below the maximum base assessment of \$620.69 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 9 assessment amount will be reduced from \$25.00 to \$10.00 per parcel in FY 2015 because there are healthy reserves. The assessment amount for this zone is below the maximum base assessment of \$165.73 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 10 assessment amount will remain at \$356.20 per parcel in FY 2015. The assessment amount for this zone is below the maximum base assessment amount of \$988.24 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 11 assessment amount for the 364 parcels in the current development phase will remain at \$379.42 per parcel in FY 2015. The assessment amount for the remaining 212 parcels that will be developed in subsequent phases will remain at \$200.94 per parcel in FY 2015. In addition, the Stonebrae HOA requested that \$32,600.00 be budgeted from reserves to fund landscape upgrade and replacement. The assessment amount for this zone is below the maximum base assessment amount of \$1,401.67 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 12 assessment amount will be increased from \$182.02 to \$185.72 per parcel for FY 2015, which is at the maximum base assessment amount per parcel. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. The City of Hayward has an agreement with the Hayward Area Recreation and Park District (HARD) to maintain the Mount Eden Shores Park aka Alden E. Oliver Sports Park within this zone. The assessment pays for a portion of the Mount Eden Shores Park maintenance services cost and some city administrative costs.

Benefit Zone No. 13 assessment amount for the 598 residential units and one commercial retail parcel (599 assessable parcels) will be \$150.00 per unit, which is the same amount as in FY 2014. The assessment amount for this zone is below their maximum base assessment amount of \$1,054.00 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

In FY 2015, the City will be completing a capital reserve study in order to determine if there are adequate capital reserves within each benefit zone. Based upon the results of the capital reserve study, City staff will be able to determine if assessment rates need to be increased or decreased in order to ensure adequate capital reserves will be in place.

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 2015 assessments proposed within the Engineer's Report are equal to or less than the maximum base assessment amount authorized; 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 maximum base assessment amount based upon the change in the prior year's 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 2014 was 240.262 (February 2014). The most current available CPI index available at the time of preparing this report was 245.148 (February 2014), which translates to a 2.03% (245.148/240.262) increase from Fiscal Year 2014. Therefore, the revised maximum base assessment amounts that could be levied in Fiscal Year 2015 for benefit zones 3 and 7 thru 13 is equal to the maximum base assessment amount in Fiscal Year 2014 increased by 2.03%. Future CPI increases in the maximum base assessment amount do not require the noticing and balloting of property owners per the requirements of Proposition 218.

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

Table 2 below lists the assessment amounts levied in FY 2014, the proposed assessment amounts for FY 2015 and the maximum base assessment amounts for each benefit zone.

Zone Number	Name/Location	Fiscal Year 2014 Assessment Amount	Fiscal Year 2015 Assessment Amount	Maximum Base Assessment Amount	CPI Index Adjustment
1 ⁽¹⁾	Huntwood Ave. & Panjon St.	\$ 230.00	\$ 265.64	\$ 265.64	No
2 ⁽¹⁾	Harder Rd. & Mocine Ave.	\$93.08	\$93.08	\$93.08	No
3	Hayward Blvd. & Fairview Ave.	\$782.20	\$782.20	\$829.71	Yes
4 ⁽¹⁾	Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk.	\$121.00	\$121.00	\$121.00	No
5 ⁽¹⁾	Soto Rd. & Plum Tree St.	\$139.12	\$139.12	\$139.12	No
6 ^(1, 2)	Peppertree Park	\$ 2.00	\$ 2.61	\$ 2.61	No
7	Mission Blvd., Industrial Pkwy, & Arrowhead Wy.	\$ 537.00	\$ 553.00	\$ 867.85	Yes
8	Capitola St.	\$ 350.00	\$ 250.00	\$ 620.69	Yes
9	Orchard Ave.	\$ 25.00	\$ 10.00	\$ 165.73	Yes
10	Eden Shores	\$ 356.20	\$ 356.20	\$ 988.24	Yes
11	Stonebrae Country Club (Current Development)	\$ 379.42	\$ 379.42	\$ 1,401.67	Yes
11	Stonebrae Country Club (Future Development)	\$ 200.94	\$ 200.94	\$ 1,401.67	Yes
12 ⁽¹⁾	Eden Shores East - Sports Park	\$182.02	\$185.72	\$185.72	Yes
13	Cannery Place	\$150.00	\$150.00	\$1,054.00	Yes

Notes: ⁽¹⁾ Bolded items reflect Fiscal Year 2015 assessment amounts levied at the base maximum assessment amounts.
⁽²⁾ Zone 6 is in the industrial district and is assessed based upon street frontage.

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 assessment amount for each assessable lot or parcel.

The City of Hayward is proposing to hold a public hearing on July 15, 2014, 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 assessment amounts 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 2015 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 2015

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. 14-____ & No. 14____, preliminarily approving the Engineer's Report, as adopted by the City Council of the City of Hayward, on June 17, 2014, 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, Shahram Aghamir, 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 2015. 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 2015

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 planted 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 2015 Assessment Amount per Parcel: \$265.64

- 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 2015 the City plans to improve the landscape area in front of the masonry wall with additional bark, mulch, shrubs and trees along with irrigation repairs at an estimated cost of \$4,000.
- For FY 2015, the assessment amount will be increased from \$230.00 to \$265.64 per parcel. The assessment amount for this zone is at their maximum base assessment amount of \$265.64 per parcel and is sufficient for maintaining levels of service and for keeping a reserve balance. This maximum base assessment amount cannot be increased annually based upon the change in the Consumer Price Index.

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

Formed: July 25, 1991
Resolution Number: 91-137
85 parcels
FY 2015 Assessment Amount 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 2015, the assessment amount will remain at \$93.08 per parcel. The assessment amount for this zone is at their maximum base assessment amount of \$93.08 per parcel and is sufficient for maintaining levels of service and for keeping a reserve balance. This maximum base assessment 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 2015 Assessment Amount per Parcel: \$782.20

- 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 maximum base assessment amount 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 amount per parcel was increased from \$328.82 to \$1,023.56. This increase in the maximum base assessment amount consisted of two components; \$694.52/yr. for maintenance and \$329.04/yr. for the construction of capital improvements. The maximum base assessment amount for constructing the capital improvements was only charged for three (3) years. In FY 2009 the maximum base assessment amount increase associated with the construction of capital improvements was eliminated. Each fiscal year, commencing in FY 2009, the maximum base assessment amount 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.

- In FY 2015 the Landscape Committee will continue to shift its focus from funding major capital improvements to funding major maintenance issues. The proposed maintenance projects for FY 2015 consist of: 1) entrance sign painting, 2) cleaning cobblestone drainage borders, 3) calsense upgrades, 4) annual replanting, major mulching, tree removal, graffiti abatement and modify drip sprinkler lines.
- For FY 2015, the assessment amount will remain at \$782.20 per parcel to ensure sufficient levels of service and for keeping a reserve balance. These assessment rates are below the maximum base assessment amount, which is \$829.71 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.
- 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 through FY 2013: Calsense Sprinkler System Upgrade Project

During FY 2011 through 2013 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.

FY 2013: Landscape Upgrade Projects

During 2013, the following improvements were completed: 1) mulch placement; 2) bunch grass removal and replants, and sprinkler repair along Fox Hollow; and 3) cleanup, enhance irrigation and plants above the V-ditch along Hayward Boulevard as part of multi-year capital improvement project.

FY 2014: Landscape Upgrade Projects

During 2014, the following improvements were completed: 1) entrance sign painting, 2) clean cobblestone drainage borders, 3) paint bus stop, 4) annual replanting, major mulching and modify drip sprinkler lines.. The total costs of improvements installed in Zone 3 since FY 2006 is \$299,000.

- 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 Way, Stratford Rd, Ruus Lane, Ward Creek) – Tracts 6472, 6560, 6682 & 6683

Formed: May 23, 1995
Resolution Number: 95-96
175 parcels

Annexed Tract 6682: January 23, 1996
FY 2015 Assessment Amount 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;
- 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.
- For FY 2015, the assessment amount will remain at \$121.00 per parcel. The assessment amount for this zone is at their maximum base assessment amount of \$121.00 per parcel and is sufficient for maintaining levels of service and for keeping a reserve balance. This maximum base assessment amount cannot be increased annually based upon the change in the Consumer Price Index.

• 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 2015 Assessment Amount 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.
 - For FY 2015, the assessment amount will remain at \$139.12 per parcel. The assessment amount for this zone is at their maximum base assessment amount of \$139.12 per parcel and is sufficient for maintaining levels of service and for keeping a reserve balance. This maximum base assessment amount cannot be increased annually based upon the change in the Consumer Price Index.
- Zone 6 (Peppertree Park) – Tracts 4420 & Lot 2 of Tract 3337

Formed: May 11, 1982
Resolution Number: 82-160
11 parcels
FY 2015 Assessment Amount per linear-foot of Street Frontage: \$2.61

- 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 2015 the City plans to improve the landscaped medians with additional bark, mulch, shrubs and irrigation repairs at an estimated cost of \$5,000.00.

- For FY 2015 the assessment amount will be increased from \$2.00 to \$2.61 per linear foot. The assessment amount for this zone is at their maximum base assessment amount of \$2.61 per linear foot and is sufficient for maintaining levels of service and for keeping a reserve balance. This maximum base assessment amount cannot be increased annually based upon the change in the Consumer Price Index.
- Zone 7 (Mission Boulevard, Industrial Parkway, Arrowhead Way) – Tract 7015

Formed: July 28, 1998
Resolution Number: 98-153
348 parcels
FY 2015 Assessment Amount per Parcel: \$553.00

- 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 2.00 acre neighborhood park.
- For FY 2015 the assessment amount will be increased from \$537.00 to \$553.00 per parcel. The increase in the assessment amount is due to increased water costs and increased costs to maintain the 2.00 acre park that is maintained by the Hayward Area Recreation and Park District (HARD). These assessment rates are below the maximum base assessment amount, which is \$867.85 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment 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 2015 Assessment Amount per Parcel: \$250.00

- 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 2015 the assessment amount will be reduced from \$350.00 to \$250.00 per parcel because there are sufficient reserves. The FY 2015 assessment amount for this zone is below the maximum base assessment amount of \$620.69 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment 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 2015 Assessment Amount per Parcel: \$10.00

- 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 2015 the assessment amount will be reduced from \$25.00 to \$10.00 per parcel because there are sufficient reserves. The FY 2015 assessment amount for this zone is below the maximum base assessment amount of \$165.73 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment 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 2015 Assessment Amount per Parcel: \$356.20

- A 5.58 acre park which includes landscaping and irrigation and playground equipment within the development;
 - Medians, park strips and parkway landscaping and irrigation within the development;
 - Surface maintenance of the decorative concrete and masonry 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.
 - 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. For FY 2015, the assessment amount will remain at \$356.20 per parcel to ensure sufficient levels of service and for keeping a reserve balance. These assessment rates are below the maximum base assessment amount, which is \$988.24 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.
- **Zone II (Stonebrae Country Club)** – Tracts No. 5354

Formed: July 18, 2006
Resolution Number: 06-096
576 parcels
FY 2015 Assessment Amount per Parcel in current development phase: \$379.42
FY 2015 Assessment Amount per Parcel in future development phase: \$200.94

- Median, park strips, parkway landscaping and irrigation improvements and multi-use pathway improvements along Fairview Avenue, Carden Lane, Hayward Boulevard, Stonebrae County Club Drive, between the entry point to the development and the City water tank;
- Slope maintenance along Carden 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, Carden 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.
- The project is proposed to be developed in multiple phases. The current development phase consists of the 364 single-family parcels (same as in FY 2014) located at or near the entrance to the development. The future development phases will consist of the remaining 212 single-family parcels (same as in FY 2014). For FY 2015 the assessment amount will remain at \$379.42 per parcel in the current phase and remain at \$200.94 per parcel in the future phases. In addition, the Stonebrae HOA requested that \$32,600.00 be budgeted from reserves to fund landscape upgrades and replacement. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

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

Formed: May 15, 2007
Resolution Number: 07-031
261 units
FY 2015 Assessment Amount per Parcel: \$185.72

- 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 2015 the assessment amount will be increased from \$182.02 to \$185.72 per parcel which is at the maximum base assessment amount per parcel. This increase is necessary to maintain sufficient service levels. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment 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

582 Condominium Style Units, 16 Duets and one Commercial Retail Parcel

FY 2015 Assessment Amount per Unit: \$150.00

- Approximately five (5) acres of park area which includes landscaping and irrigation and playground 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.
- For FY 2015 the assessment amount will remain at \$150.00 per parcel because there are sufficient reserves. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment 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 2015 expenditures for the proposed District are itemized by zone as follows:

TABLE 3: REVENUE PER BENEFIT ZONE		
Zone Number	Name/Location	Estimated Revenue for Fiscal Year 2014
1	Huntwood Ave. & Panjon St.	\$7,969.20
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.	\$13,034.28
7	Mission Blvd., Industrial Pkwy, & Arrowhead Wy.	\$192,444.00
8	Capitola St.	\$6,000.00
9	Orchard Ave.	\$740.00
10	Eden Shores	\$190,210.80
11	Stonebrae Country Club	\$180,708.16
12	Eden Shores East - Sports Park	\$48,472.92
13	Cannery Place	\$89,850.00
	<i>TOTAL:</i>	<i>\$885,043.72</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 amount 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 2015, the total assessment revenue needed to operate and maintain the facilities within the zone is \$7,969.20. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$265.64 per parcel

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

This zone was established in 1991 and the maximum assessment amount 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 2015, the total assessment revenue needed to operate and maintain the facilities within the zone is \$7,911.80. Since the assessment amount is limited to the maximum base assessment 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 maximum base assessment amount 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 maximum base assessment amount per parcel was increased from \$328.82 to \$1,023.56. This increase in the maximum base assessment amount consisted of two components; \$694.52/yr. for maintenance and \$329.04/yr. for the construction of capital improvements. The maximum base assessment amount for constructing the capital improvements was only charged for three (3) years. In FY 2009 the maximum base assessment amount increase associated with the construction of capital improvements was eliminated. Each fiscal year, commencing in FY 2009, the maximum base assessment amount for the maintenance component, \$694.52 may be increased annually based upon the prior year's change in the Consumer Price Index for the San Francisco-Oakland-San Jose Area. The base year for calculating CPI increases was set for July 1, 2006. On July 1, 2006 the CPI Index was set at 205.2. The most current CPI Index available at the time of this report was February 2014. The February 2014 CPI was 245.148, which translates to a 19.47% (245.148/205.2) increase since the

base year. Therefore, the maximum base assessment amount of \$829.72 per parcel could be assessed in FY 2015. The assessment amount 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 2015, the total assessment revenue needed to operate and maintain the facilities within the zone is \$121,241.00. Since the assessment amount is limited to the maximum base assessment 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 amount 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 amount 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 2015, the total assessment revenue needed to operate and maintain the facilities within the zone is \$21,175.00. Since the assessment amount is limited to the maximum base assessment 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 amount 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 amount 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 2015, the total assessment revenue needed to operate and maintain the facilities within the zone is \$5,286.56. Since the assessment amount is limited to the maximum base assessment 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 amount 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 2015, the total assessment revenue needed to operate and maintain the facilities within the zone is \$13,034.28. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$2.61 per linear foot

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

This zone was established in 1998 and the maximum assessment amount was set at \$597.57 per parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for April 1, 1999. On April 1, 1999, the CPI Index was set at 168.8. The most current CPI Index available at the time of this report was February 2014. The February 2014 CPI was 245.148, which translates to a 45.23% (245.148/168.8) increase since the base year. Therefore, the maximum base assessment amount of \$867.85 per parcel could be assessed in FY 2015. 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 2015, the total assessment revenue needed to operate and maintain the facilities within the zone is \$192,444.00. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$553.00 per parcel

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

This zone was established in 1999 and the maximum assessment amount was set at \$442.83 per parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for April 1, 2000. On April 1, 2000 the CPI Index was set at 174.9. The most current CPI Index available at the time of this report was February 2014. The February 2014 CPI was 245.148, which translates to a 40.16% (245.148/174.9) increase since the base year. Therefore, the maximum base assessment amount of \$620.69 per parcel could be assessed in FY 2015. 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 2015, the total assessment revenue needed to operate and maintain the facilities within the zone is \$6,000.00. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$250.00 per parcel

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

This zone was established in 2000 and the maximum assessment amount was set at \$125.00 per parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for April 1, 2001. On April 1, 2001, the CPI Index was set at 184.9. The most current CPI Index available at the time of this report was February 2014. The February 2014 CPI was 245.148, which translates to a 32.58% (245.148/184.9) increase since the base year. Therefore, the maximum base assessment amount of \$165.73 per parcel could be assessed in FY 2015. 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 2015, the total revenue needed to operate and maintain the facilities within the zone is \$740.00. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$10.00 per parcel

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

This zone was established in June 2003 and the maximum assessment amount was set at \$775.00 per parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for July 1, 2003. On July 1, 2003, the CPI Index was set at 192.25. The most current CPI Index available at the time of this report was February 2014. The February 2014 CPI was 245.148, which translates to a 27.52% (245.148/192.25) increase since the base year. Therefore, the maximum base assessment amount of \$988.24 per parcel could be assessed in FY 2015. 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 2015, the total assessment revenue needed to operate and maintain the facilities within the zone is \$190,210.80. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$356.20 per parcel

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

This zone was established in July 2006 and the maximum assessment amount was set at \$1,173.26/yr. for each proposed single-family parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for July 1, 2006. On July 1, 2006, the CPI Index was set at 205.2. The most current CPI Index available at the time of this report was February 2014. The February 2014 CPI was 245.148, which translates to a 19.479% (245.148/205.2) increase since the base year. Therefore, the maximum base assessment amount of \$1,401.67 per parcel could be assessed in FY 2015. The project is proposed to be developed in multiple phases. The current development phases will be constructed first and consist of the 364 proposed single-family parcels located at or near the entrance to the development. The future development phases will consist of the remaining 212 proposed single-family parcels. In FY 2015, the total assessment revenue needed to operate and maintain the facilities is \$180,708.16. Therefore, each of the 364 parcels located within the current development will be assessed \$379.42 and the remaining 212 single-family parcels will be assessed \$200.94 as shown below:

\$379.42 per parcel (Current Development)
\$200.94 per parcel (Future Development)

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

This zone was established in 2007 with a maximum base assessment amount of \$160.00 per parcel which includes an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for April 1, 2007. On April 1, 2007, the CPI Index was set at 211.189. The most current CPI Index available at the time of this report was February 2014. The February 2014 CPI was 245.148, which translates to a 16.08% (245.148/211.189) increase since the base year. Therefore, the maximum base assessment amount of \$185.72 per parcel could be assessed in FY 2015. 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 2015, the total assessment revenue needed to operate and maintain the facilities within the zone is \$48,472.92. Since the assessment amount is limited to the maximum base assessment amount, the following amount should be collected:

\$185.72 per proposed parcel

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

This zone was established in June 2008 with a maximum base assessment amount of \$951.98 per residential unit and \$951.98 per commercial parcel which includes an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for July 1, 2008. On July 1, 2008, the CPI Index was set at 221.4195. The most current CPI Index available at the time of this report was February 2014. The February 2014 CPI was 245.148, which translates to a 10.72% (245.148/221.4195) increase since the base year. Therefore, the maximum base assessment amount of \$1,054.00 per residential unit and commercial parcel could be assessed in FY 2015. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 598 residential units and 1 commercial parcel shall be apportioned an equal share of the total assessment for this zone. In FY 2015, the total assessment revenue needed to operate and maintain the facilities within the zone is \$89,850.00. Since the assessment amount is limited to the maximum base assessment amount, the following amount should be collected:

\$150.00 per unit (Residential Unit/Commercial Parcel)

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 2015 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 2015 Huntwood Avenue & Panjon Street	
	Fiscal Year 2015 Budget
Number of Assessable Parcels	30
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$22,672.93</u>
REVENUE	
Annual Assessment Fee (30 Assessable Parcels)	\$7,969.20
County Collection Fee (1.7%)	(\$135.48)
Net Revenue	\$7,833.72
Total Available	<u>\$30,506.65</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$1,330.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$3,000.00
(c) Anticipated Repairs: 1) Additional Bark, Mulch, Shrubs and Trees, 2) Irrigation Repairs	\$4,000.00
Subtotal I:	<u>\$8,330.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$855.00
(b) Supplies: printing, postage and publishing	\$30.00
Subtotal II:	<u>\$885.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$1,500.00
Subtotal III:	<u>\$1,500.00</u>
<u>Total Expense (Sum of I, II and III)</u>	<u>\$10,715.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$19,791.65</u>
Change in Reserve Fund Balance	<u>(\$2,881.28)</u>
RESERVE DETAIL	
Required Operating Reserves ⁽¹⁾	\$5,357.50
Available Capital Reserves ⁽²⁾	\$14,434.15
Subtotal:	<u>\$19,791.65</u>
Assessment Amount per Parcel	<u>\$265.64</u>
Maximum Base Assessment Amount per Parcel	<u>\$265.64</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.	
⁽²⁾ 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 2015 Harder Road & Mocine Avenue	
	Fiscal Year 2015 Budget
Number of Assessable Parcels	85
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$7,389.58</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>\$15,166.88</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$2,410.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$3,000.00
Subtotal I:	<u>\$5,410.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$855.00
(b) Supplies: printing, postage and publishing	\$85.00
Subtotal II:	<u>\$940.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$450.00
Subtotal III:	<u>\$450.00</u>
<u>Total Expense (Sum of I, II and III)</u>	<u>\$6,800.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$8,366.88</u>
Change in Reserve Fund Balance	<u>\$977.30</u>
RESERVE DETAIL	
Required Operating Reserves ⁽¹⁾	\$3,400.00
Available Capital Reserves ⁽²⁾	\$4,966.88
Subtotal:	<u>\$8,366.88</u>
Assessment Amount per Parcel	\$93.08
Maximum Base Assessment Amount per Parcel	\$93.08
NOTES:	
⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.	
⁽²⁾ Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 833 - Zone 3 - Fiscal Year 2015 Hayward Boulevard & Fairview Avenue	
	Fiscal Year 2015 Budget
Number of Assessable Parcels	155
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$128,569.01</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>\$247,748.91</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$25,000.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, adding mulch, spraying, and masonry wall surface maintenance	\$40,000.00
(c) Anticipated Repairs: 1) Entrance Sign Painting, 2) Clean Cobblestone Drainage Borders, 3) Calsense Upgrades, 4) Annual Replanting, Major Mulching, Tree Removal, Graffiti Abatement and Modify Drip Sprinkler Lines.	\$35,000.00
Subtotal I:	<u>\$100,000.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$2,590.00
(b) Supplies: printing, postage and publishing	\$155.00
Subtotal II:	<u>\$2,745.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$10,000.00
Subtotal III:	<u>\$10,000.00</u>
<u>Total Expense (Sum of I, II and III)</u>	<u>\$112,745.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$135,003.91</u>
Change in Reserve Fund Balance	<u>\$6,434.90</u>
RESERVE DETAIL	
Required Operating Reserves ⁽¹⁾	\$56,372.50
Available Capital Reserves ⁽²⁾	\$78,631.41
Subtotal:	<u>\$135,003.91</u>
Assessment Amount per Parcel	<u>\$782.20</u>
Maximum Base Assessment Amount per Parcel	<u>\$829.71</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.	
⁽²⁾ Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 834 - Zone 4 - Fiscal Year 2015 Pacheco Way, Stratford Road, Ruus Lane, Ward Creek	
	Fiscal Year 2015 Budget
Number of Assessable Parcels	175
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$91,663.80</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>\$112,478.83</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$ 3,510.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$ 8,000.00
(c) Graffiti Abatement	\$ 500.00
Subtotal I:	<u>\$12,010.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$ 855.00
(b) Special Services (Alameda County Drainage and Access Facilities)	\$ 5,850.00
(c) Supplies: printing, postage and publishing	\$ 175.00
Subtotal II:	<u>\$6,880.00</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>\$20,390.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$92,088.83</u>
Change in Reserve Fund Balance	<u>\$ 425.02</u>
RESERVE DETAIL	
Required Operating Reserves ⁽¹⁾	\$ 10,195.00
Available Capital Reserves ⁽²⁾	\$ 81,893.83
Subtotal:	<u>\$92,088.83</u>
Assessment Amount per Parcel	\$121.00
Maximum Base Assessment Amount per Parcel	\$121.00
NOTES:	
⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.	
⁽²⁾ Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 835 - Zone 5 - Fiscal Year 2015 Soto Road & Plum Tree Street	
	Fiscal Year 2015 Budget
Number of Assessable Parcels	38
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$9,203.13</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>\$14,399.82</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$1,370.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$ 2,500.00
(c) Graffiti Abatement	\$ 250.00
Subtotal I:	<u>\$4,120.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$ 855.00
(b) Supplies: printing, postage and publishing	\$ 38.00
Subtotal II:	<u>\$893.00</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>\$5,913.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$8,486.82</u>
Change in Reserve Fund Balance	<u>(\$716.31)</u>
RESERVE DETAIL	
Required Operating Reserves ⁽¹⁾	\$ 2,956.50
Available Capital Reserves ⁽²⁾	\$ 5,530.32
Subtotal:	<u>\$8,486.82</u>
Assessment Amount per Parcel	\$139.12
Maximum Base Assessment Amount per Parcel	\$139.12
NOTES:	
⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.	
⁽²⁾ Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc	

Fund 820 - Zone 6 - Fiscal Year 2015 Peppertree Park	
	Fiscal Year 2015 Budget
Length of Assessable Street Frontage	4,994
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$54,178.05</u>
<u>REVENUE</u>	
Annual Assessment Fee (4,994 Assessable Liner Feet)	\$13,034.28
County Collection Fee (1.7%)	(\$ 221.58)
Net Revenue	\$12,812.70
Total Available	<u>\$66,990.75</u>
<u>EXPENDITURE</u>	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$ 2,160.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$ 5,000.00
(c) Median improvements (bark, mulch, shrubs and irrigation repairs)	\$ 5,000.00
Subtotal I:	<u>\$12,160.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$ 855.00
(b) Supplies: printing, postage and publishing	\$11.00
Subtotal II:	<u>\$866.00</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>\$14,526.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$52,464.75</u>
Change in Reserve Fund Balance	<u>(\$1,713.30)</u>
<u>RESERVE DETAIL</u>	
Required Operating Reserves ⁽¹⁾	\$7,263.00
Available Capital Reserves ⁽²⁾	\$45,201.75
Subtotal:	<u>\$52,464.75</u>
Assessment Amount per Parcel	<u>\$2.61</u>
Maximum Base Assessment Amount per Parcel	<u>\$2.61</u>
<u>NOTES:</u>	
⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.	
⁽²⁾ Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc	

Fund 837 - Zone 7 - Fiscal Year 2015 Mission Boulevard, Industrial Parkway, Arrowhead Way	
	Fiscal Year 2015 Budget
Number of Assessable Parcels	348
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$329,138.54</u>
REVENUE	
Annual Assessment Fee (348 Assessable Parcels)	\$192,444.00
County Collection Fee (1.7%)	(\$3,271.55)
Net Revenue	\$189,172.45
Total Available	<u>\$518,311.00</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$46,900.00
(b) Maintenance Work: Landscaping maintenance, irrigation repairs, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance.	\$34,000.00
Subtotal I:	<u>\$80,900.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$2,590.00
(b) Special Services (HARD)	\$96,000.00
(c) Supplies: printing, postage and publishing	\$348.00
Subtotal II:	<u>\$98,938.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$9,000.00
Subtotal III:	<u>\$9,000.00</u>
<u>Total Expense (Sum of I, II and III)</u>	<u>\$188,838.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$329,473.00</u>
Change in Reserve Fund Balance	<u>\$334.45</u>
RESERVE DETAIL	
Required Operating Reserves ⁽¹⁾	\$94,419.00
Available Capital Reserves ⁽²⁾	\$235,054.00
Subtotal:	<u>\$329,473.00</u>
Assessment Amount per Parcel	\$553.00
Maximum Base Assessment Amount per Parcel	\$867.85
NOTES:	
⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.	
⁽²⁾ Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 839 - Zone 8 - Fiscal Year 2015 Capitola Street	
	Fiscal Year 2015 Budget
Number of Assessable Parcels	24
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$32,068.28</u>
REVENUE	
Annual Assessment Fee (24 Assessable Parcels)	\$ 6,000.00
County Collection Fee (1.7%)	(\$102.00)
Net Revenue	\$ 5,898.00
Total Available	<u>\$37,966.28</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$1,100.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$ 2,700.00
Subtotal I:	<u>\$3,800.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$855.00
(b) Supplies: printing, postage and publishing	\$ 24.00
Subtotal II:	<u>\$879.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$1,200.00
Subtotal III:	<u>\$1,200.00</u>
Total Expense (Sum of I, II and III)	<u>\$5,879.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$32,087.28</u>
Change in Reserve Fund Balance	<u>\$19.00</u>
RESERVE DETAIL	
Required Operating Reserves ⁽¹⁾	\$ 2,939.50
Available Capital Reserves ⁽²⁾	\$ 29,147.78
Subtotal:	<u>\$32,087.28</u>
Assessment Amount per Parcel	<u>\$ 250.00</u>
Maximum Base Assessment Amount per Parcel	<u>\$620.69</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.	
⁽²⁾ Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 821 - Zone 9 - Fiscal Year 2015 Orchard Avenue	
	Fiscal Year 2015 Budget
Number of Assessable Parcels	74
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$11,599.65</u>
REVENUE	
Annual Assessment Fee (74 Assessable Parcels)	\$740.00
County Collection Fee (1.7%)	(\$12.58)
Net Revenue	\$727.42
Total Available	<u>\$12,327.07</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$0.00
(b) Maintenance Work: Masonry wall surface maintenance	\$400.00
Subtotal I:	<u>\$400.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services (consultants)	\$855.00
(b) Supplies: printing, postage and publishing	\$74.00
Subtotal II:	<u>\$929.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$500.00
Subtotal III:	<u>\$500.00</u>
<u>Total Expense (Sum of I, II and III)</u>	<u>\$1,829.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$10,498.07</u>
Change in Reserve Fund Balance	<u>(\$1,101.58)</u>
RESERVE DETAIL	
Required Operating Reserves ⁽¹⁾	\$914.50
Available Capital Reserves ⁽²⁾	\$9,583.57
Subtotal:	<u>\$10,498.07</u>
Assessment Amount per Parcel	<u>\$10.00</u>
Maximum Base Assessment Amount per Parcel	<u>\$165.73</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.	
⁽²⁾ Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

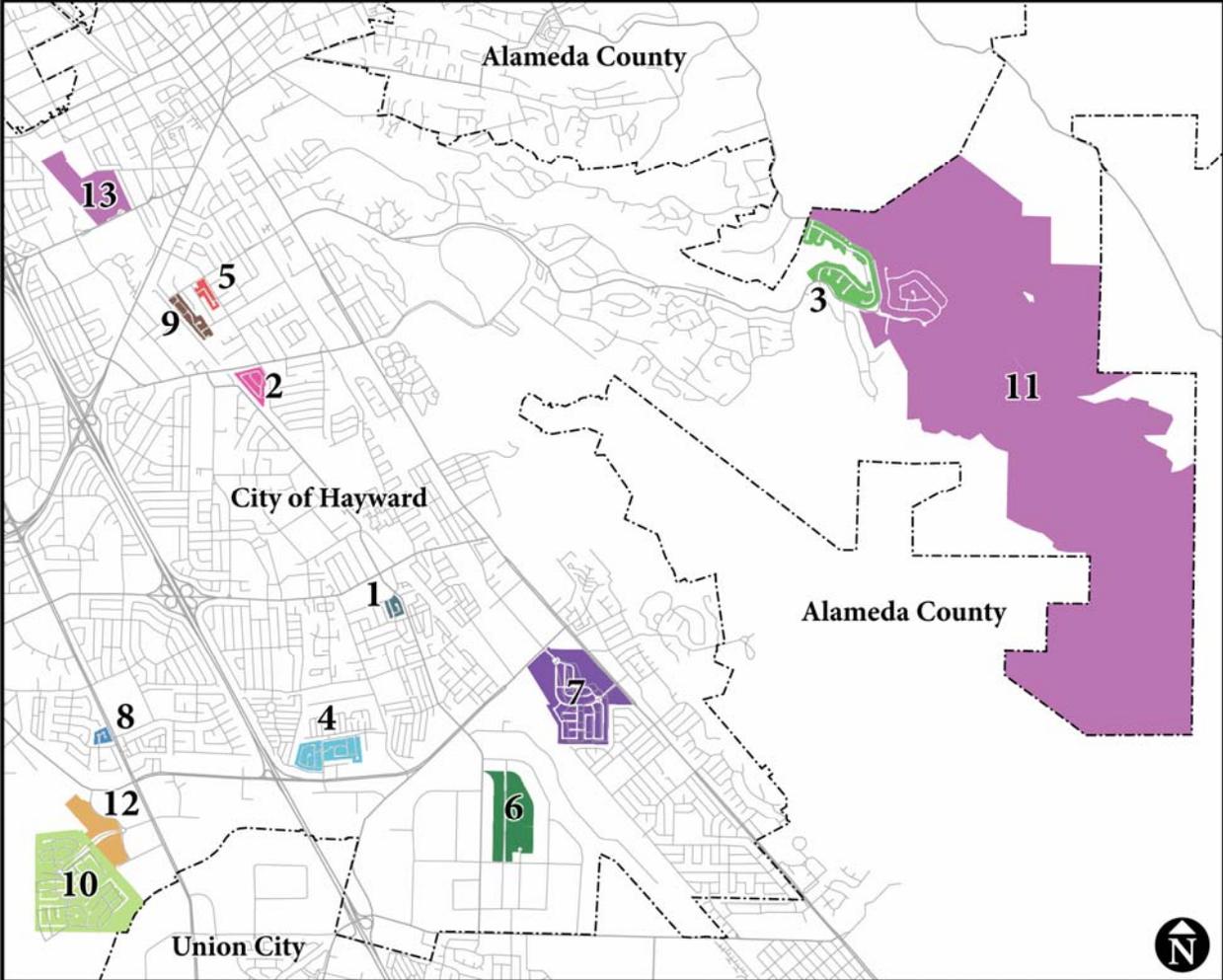
Fund 822 - Zone 10 - Fiscal Year 2015 Eden Shores	
	Fiscal Year 2015 Budget
Number of Assessable Parcels	534
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$775,065.18</u>
REVENUE	
Annual Assessment Fee (534 Assessable Parcels)	\$190,210.80
County Collection Fee (1.7%)	(\$3,233.58)
Net Revenue	\$186,977.22
Total Available	<u>\$962,042.39</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$12,430.00
(b) Maintenance Work: Landscaping maintenance, debris removal, trimming, and masonry wall surface maintenance by HOA (See II.c)	\$0.00
Subtotal I:	<u>\$12,430.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$2,590.00
(b) Special Services (HARD 5-Acre Park Maintenance)	\$143,300.00
(c) Special Services (Eden Shores HOA)	\$20,000.00
(d) Supplies: printing, postage and publishing	\$534.00
Subtotal II:	<u>\$166,424.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$8,100.00
Subtotal III:	<u>\$8,100.00</u>
Total Expense (Sum of I, II and III)	<u>\$186,954.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$775,088.39</u>
Change in Reserve Fund Balance	<u>\$23.22</u>
RESERVE DETAIL	
Required Operating Reserves ⁽¹⁾	\$93,477.00
Available Capital Reserves ⁽²⁾	\$681,611.39
Subtotal:	<u>\$775,088.39</u>
Assessment Amount per Parcel	\$356.20
Maximum Base Assessment Amount per Parcel	\$988.24
NOTES:	
⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.	
⁽²⁾ Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 823 - Zone II - Fiscal Year 2015 Stonebrae Country Club	
	Fiscal Year 2015 Budget
Number of Assessable Parcels (Current Development)	364
Number of Assessable Parcels (Future Development)	212
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$540,043.52</u>
REVENUE	
Annual Assessment Fee (364 Current Assessable Parcels)	\$138,108.88
Annual Assessment Fee (212 Future Assessable Parcels)	\$42,599.28
County Collection Fee (1.7%)	(\$3,072.04)
Net Revenue	\$177,636.12
Total Available	<u>\$717,679.65</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy (Stonebrae HOA)	\$102,300.00
(b) Maintenance Work: Lighting Repair/Replacement	\$5,000.00
(c) Landscape Upgrade/Replacement	<u>\$32,600.00</u>
Subtotal I:	<u>\$139,900.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$2,590.00
(b) Special Services (Stonebrae HOA - Landscaping)	\$44,244.00
(c) Supplies: printing, postage and publishing	\$576.00
Subtotal II:	<u>\$47,410.00</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>\$194,310.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$523,369.65</u>
Change in Reserve Fund Balance	<u>(\$16,673.88)</u>
RESERVE DETAIL	
Required Operating Reserves ⁽¹⁾	\$97,155.00
Available Capital Reserves ⁽²⁾	\$426,214.65
Subtotal:	<u>\$523,369.65</u>
Assessment Amount per Parcel (current development)	\$379.42
Assessment Amount per Parcel (future development)	\$200.94
Maximum Base Assessment Amount per Parcel	\$1,401.67
NOTES:	
⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.	
⁽²⁾ 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 2015 Eden Shores East	
	Fiscal Year 2015 Budget
Number of Assessable Parcels	261
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$23,253.41</u>
REVENUE	
Annual Assessment Fee (261 Assessable Parcels)	\$ 48,472.92
County Collection Fee (1.7%)	(\$ 824.04)
Net Revenue	\$ 47,648.88
Total Available	<u>\$70,902.29</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	\$ 2,590.00
(b) Special Services (HARD)	\$ 43,000.00
(c) Supplies: printing, postage and publishing	<u>\$ 258.00</u>
Subtotal II:	\$ 45,848.00
<u>III. Administrative Services</u>	
(a) Administration	<u>\$ 1,800.00</u>
Subtotal III:	\$ 1,800.00
Total Expense (Sum of I, II and III)	<u>\$47,648.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$23,254.29</u>
Change in Reserve Fund Balance	<u>\$0.88</u>
RESERVE DETAIL	
Required Operating Reserves ⁽¹⁾	\$ 23,824.00
Available Capital Reserves ⁽²⁾	(\$ 569.71)
Subtotal:	<u>\$23,254.29</u>
Assessment Amount per Parcel	\$185.72
Maximum Base Assessment Amount per Parcel	\$185.72
NOTES:	
⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.	
⁽²⁾ Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 825 - Zone 13 - Fiscal Year 2015 Cannery Place	
	Fiscal Year 2015 Budget
Number of Assessable Parcels	599
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$195,480.12</u>
REVENUE	
Annual Assessment Fee (599 Assessable Parcels)	\$ 89,850.00
County Collection Fee (1.7%)	(\$1,527.45)
Net Revenue	\$88,322.55
Total Available	<u>\$283,802.67</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$ 19,600.00
(b) Maintenance Work: Landscaping maintenance plus debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$15,000.00
Subtotal I:	<u>\$ 34,600.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$ 2,590.00
(b) Supplies: printing, postage and publishing	\$ 599.00
Subtotal II:	<u>\$ 3,189.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$7,000.00
Subtotal III:	<u>\$7,000.00</u>
Total Expense (Sum of I, II and III)	<u>\$44,789.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$239,013.67</u>
Change in Reserve Fund Balance	<u>\$43,533.55</u>
RESERVE DETAIL	
Required Operating Reserves ⁽¹⁾	\$ 22,394.50
Available Capital Reserves ⁽²⁾	\$ 216,619.17
Subtotal:	<u>\$239,013.67</u>
Assessment Amount per Parcel (current development)	\$150.00
Maximum Base Assessment Amount per Parcel	\$1,054.00
NOTES:	
⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.	
⁽²⁾ Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

APPENDIX B
VICINITY MAP



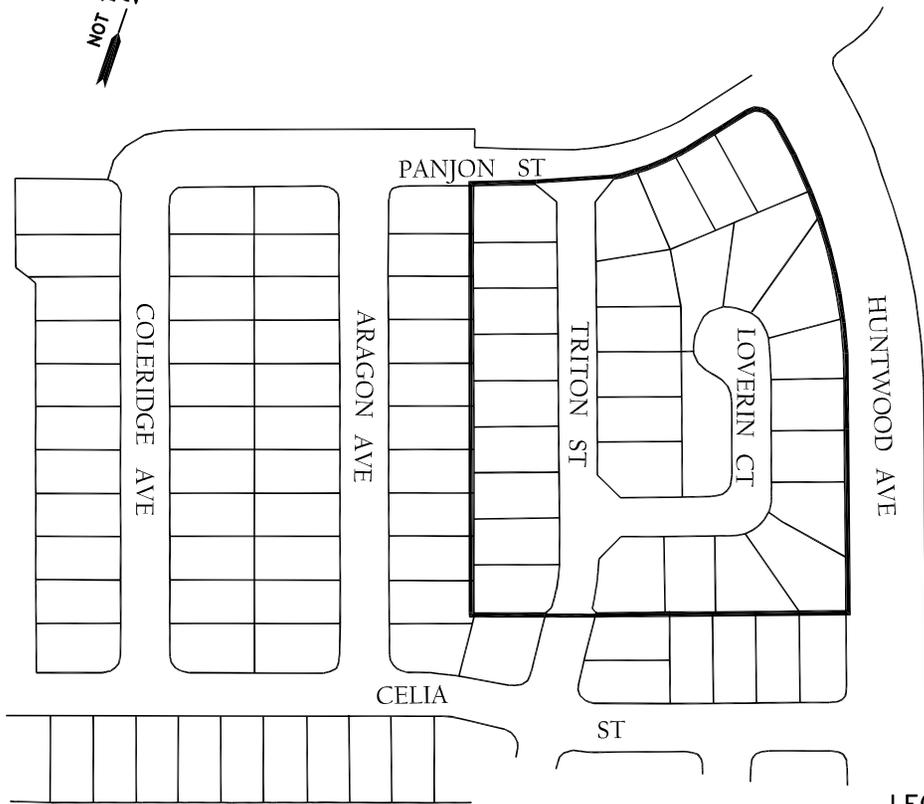
APPENDIX C
ASSESSMENT DIAGRAM

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



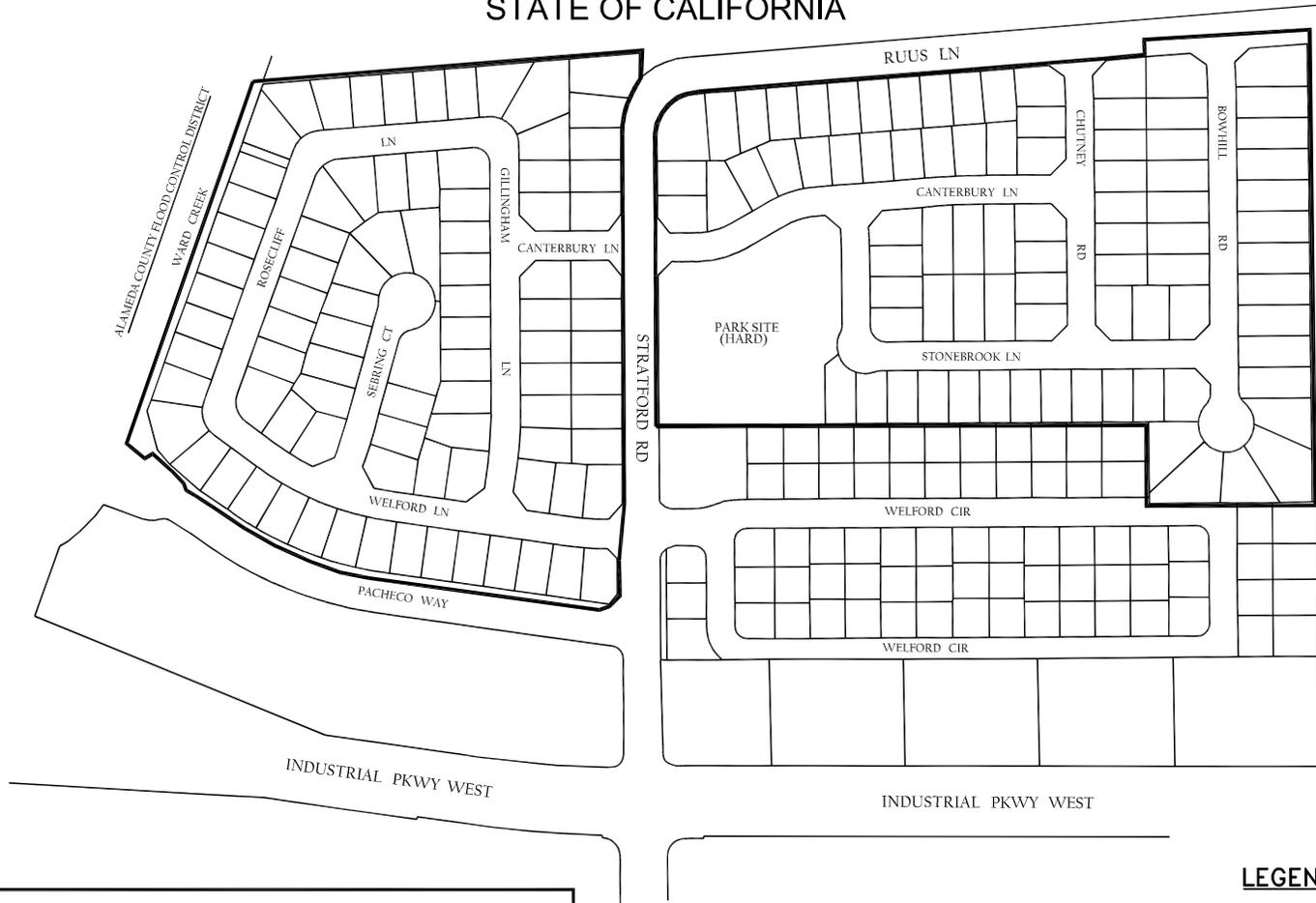
ZONE 2: HARDER ROAD AND MOCINO AVENUE

LEGEND

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DISTRICT DIAGRAM
 LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1
 CITY OF HAYWARD
 COUNTY OF ALAMEDA
 STATE OF CALIFORNIA

SHEET 4 OF 13



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

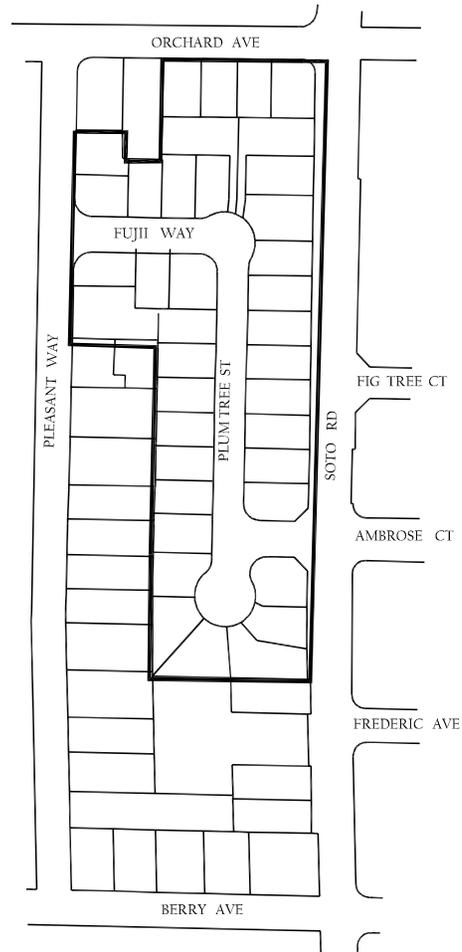
- LEGEND**
- NEW PARCEL BOUNDARIES
 - ASSESSMENT DISTRICT BOUNDARIES

SHEET 5 OF 13

ASSESSMENT DISTRICT DIAGRAM

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

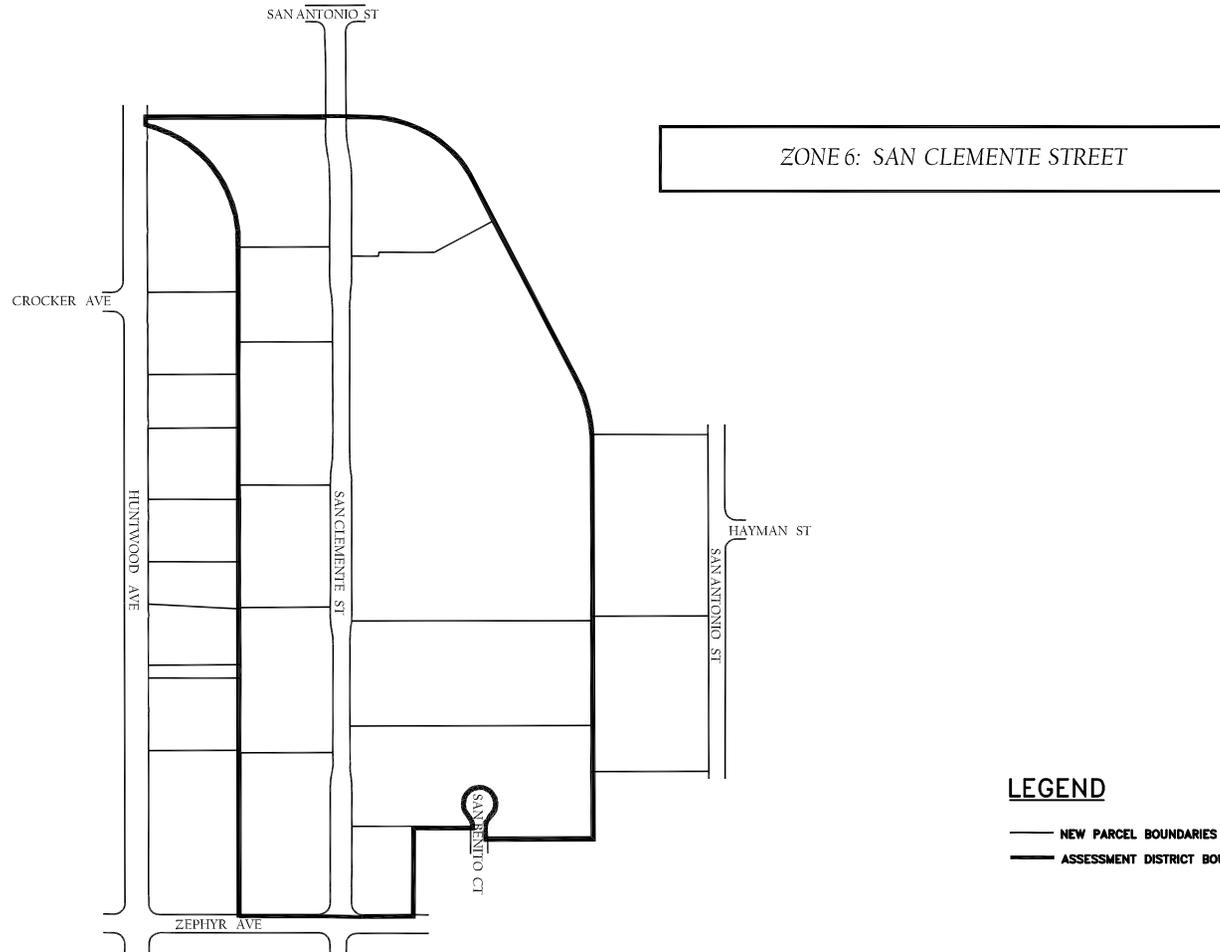
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DISTRICT DIAGRAM

SHEET 6 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

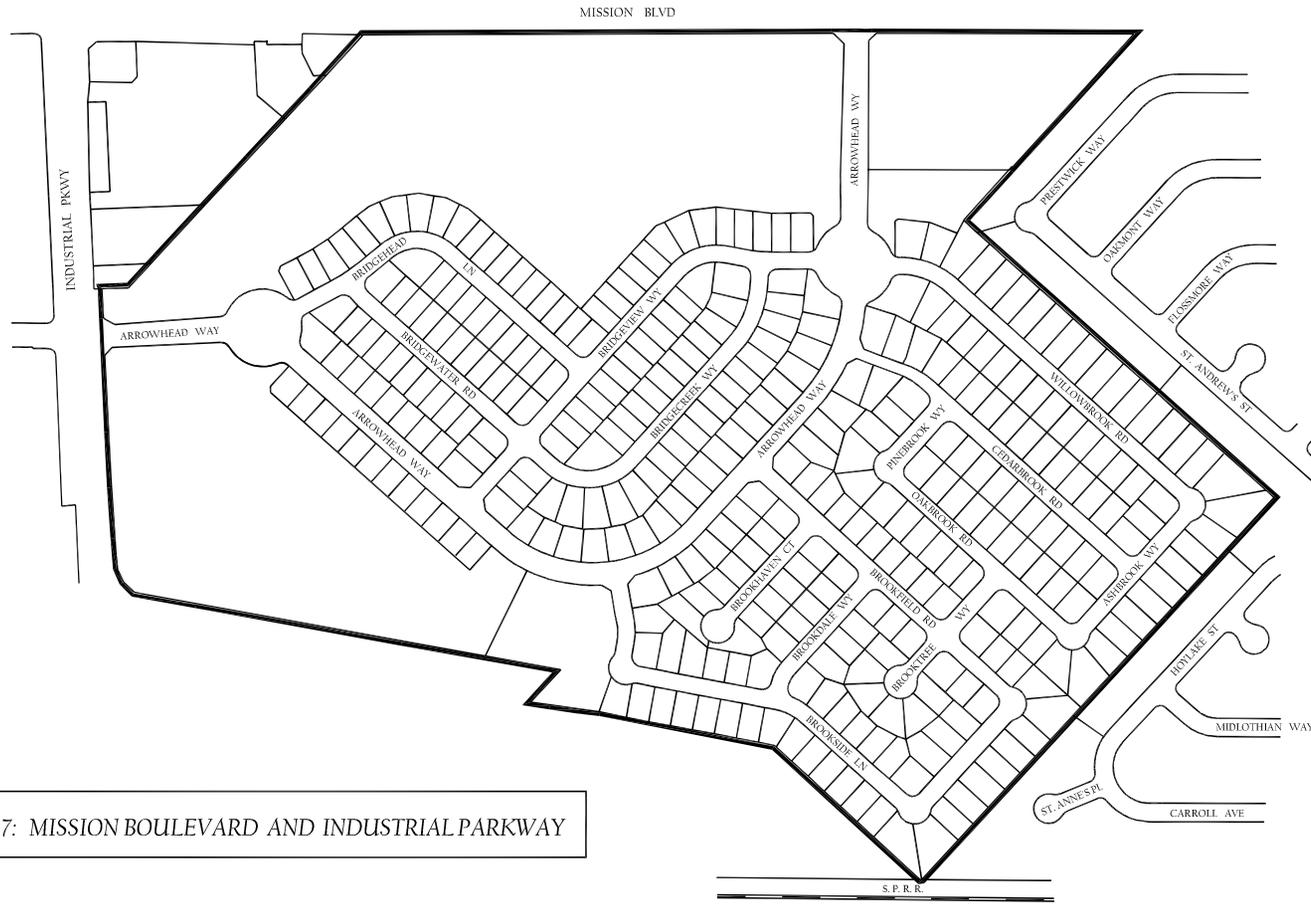


ASSESSMENT DISTRICT DIAGRAM

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

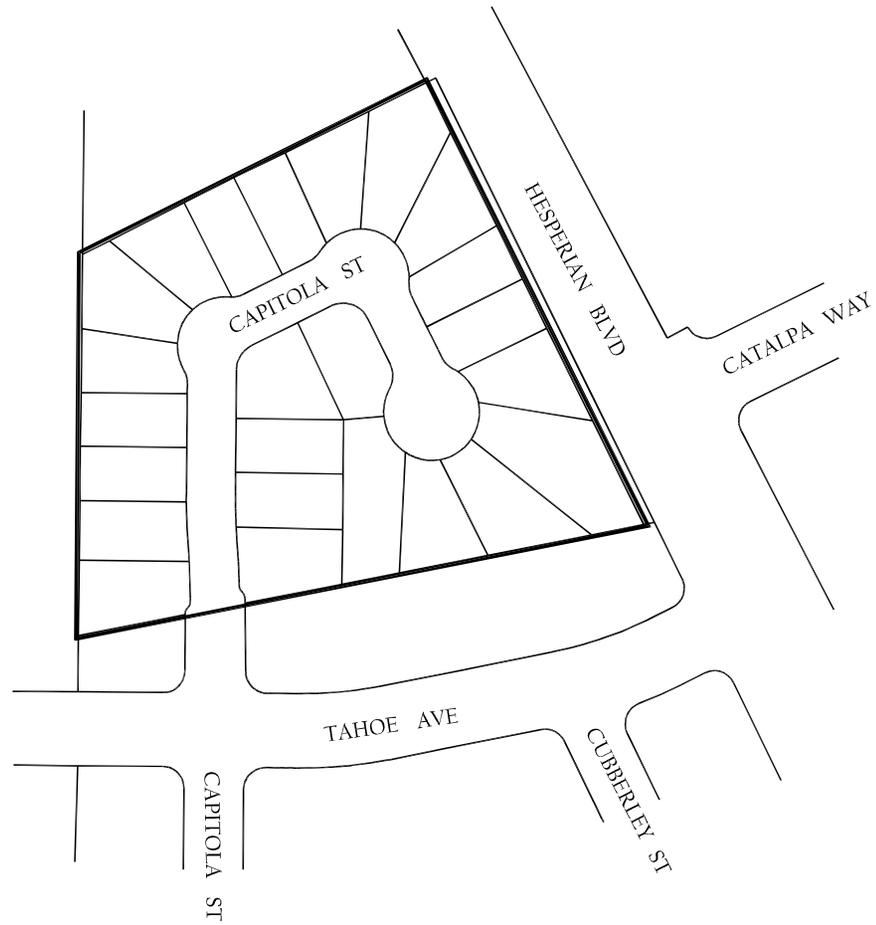
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

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

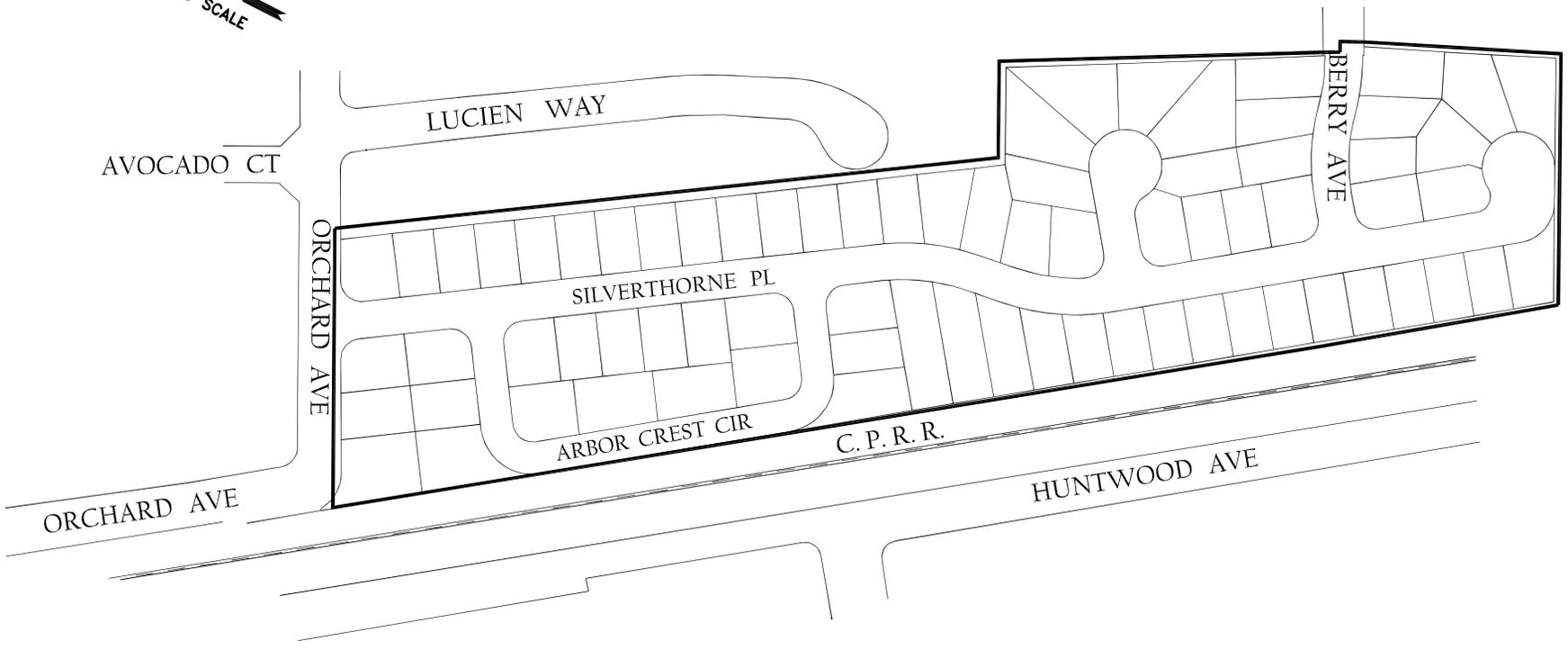
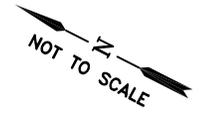
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

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

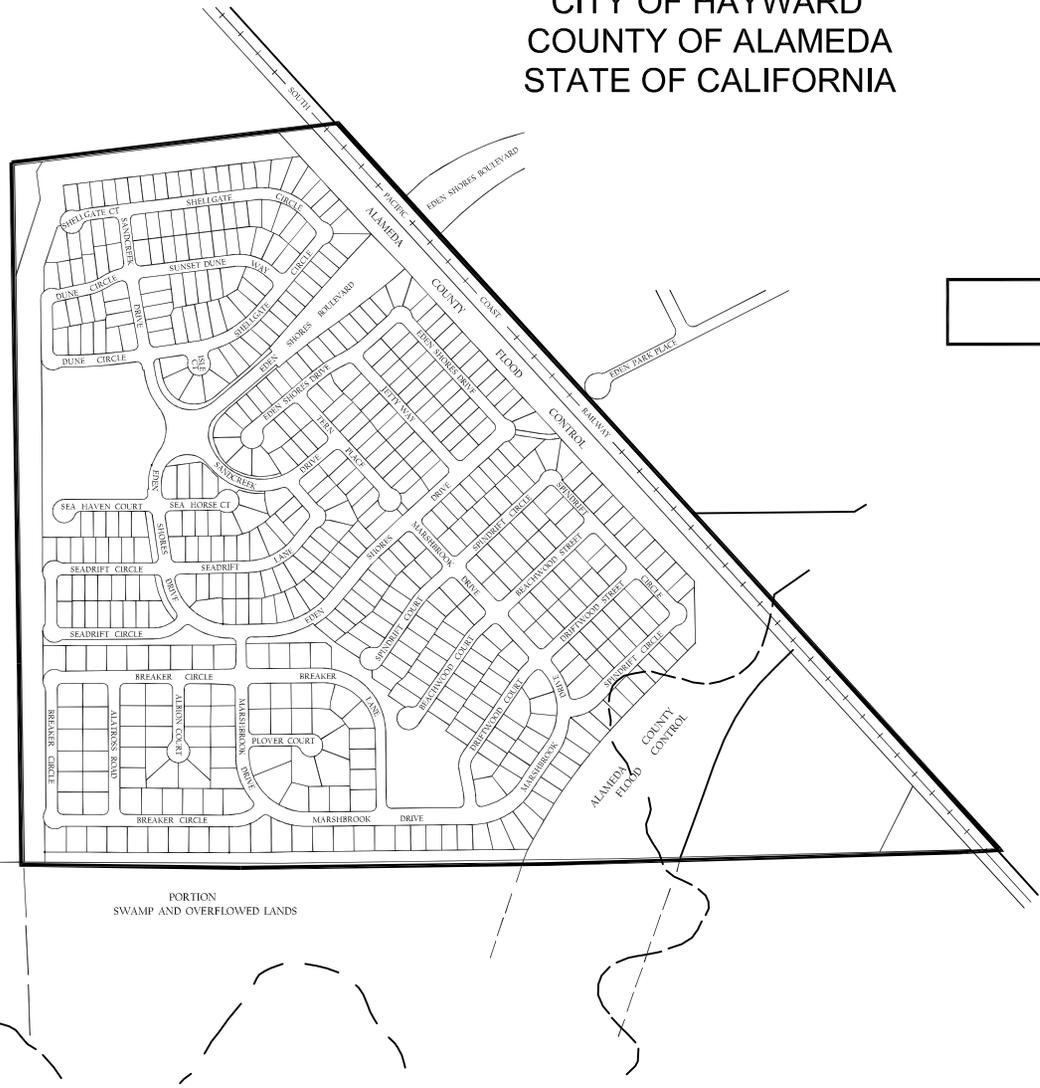
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

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

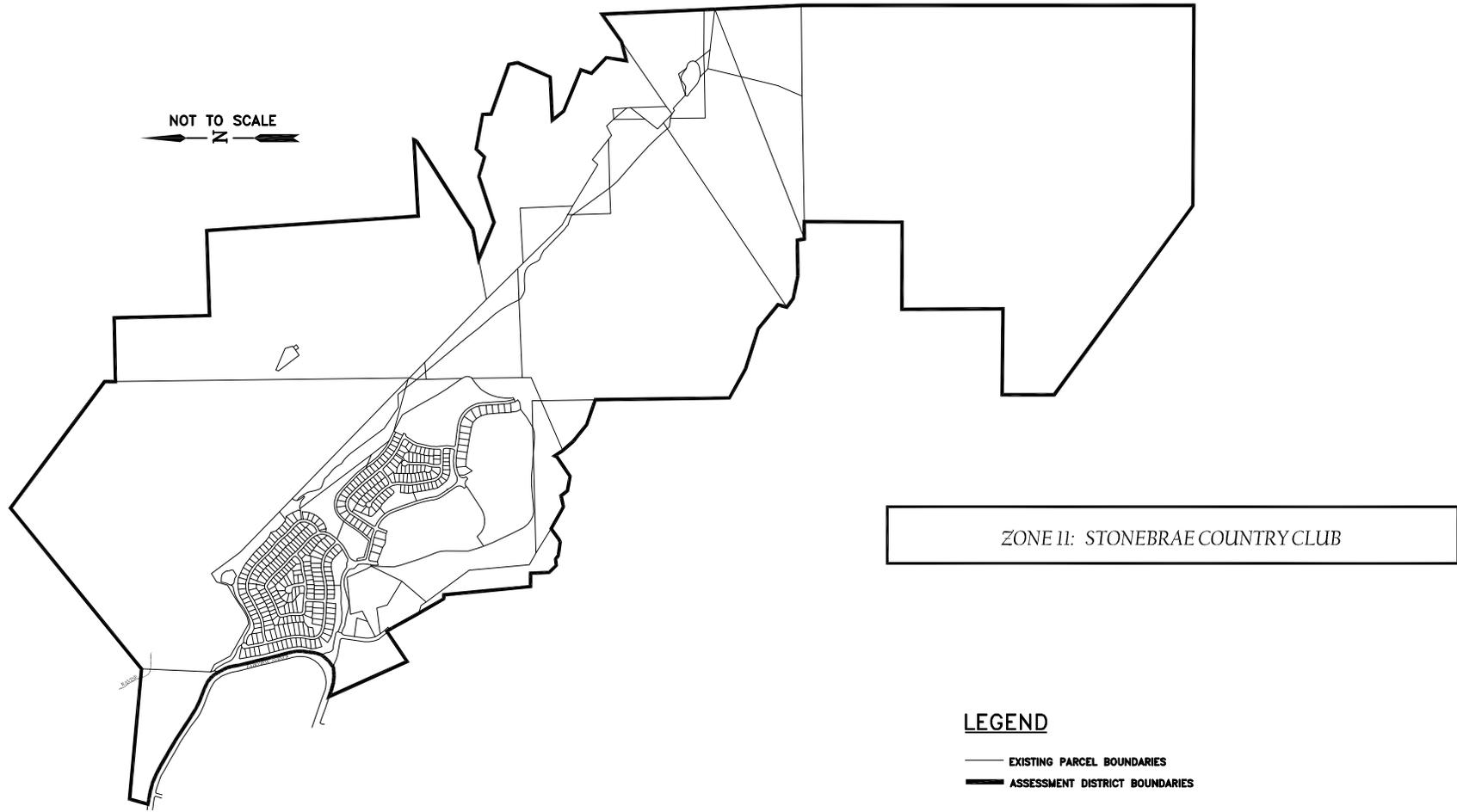
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DISTRICT DIAGRAM

SHEET 11 OF 13

LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

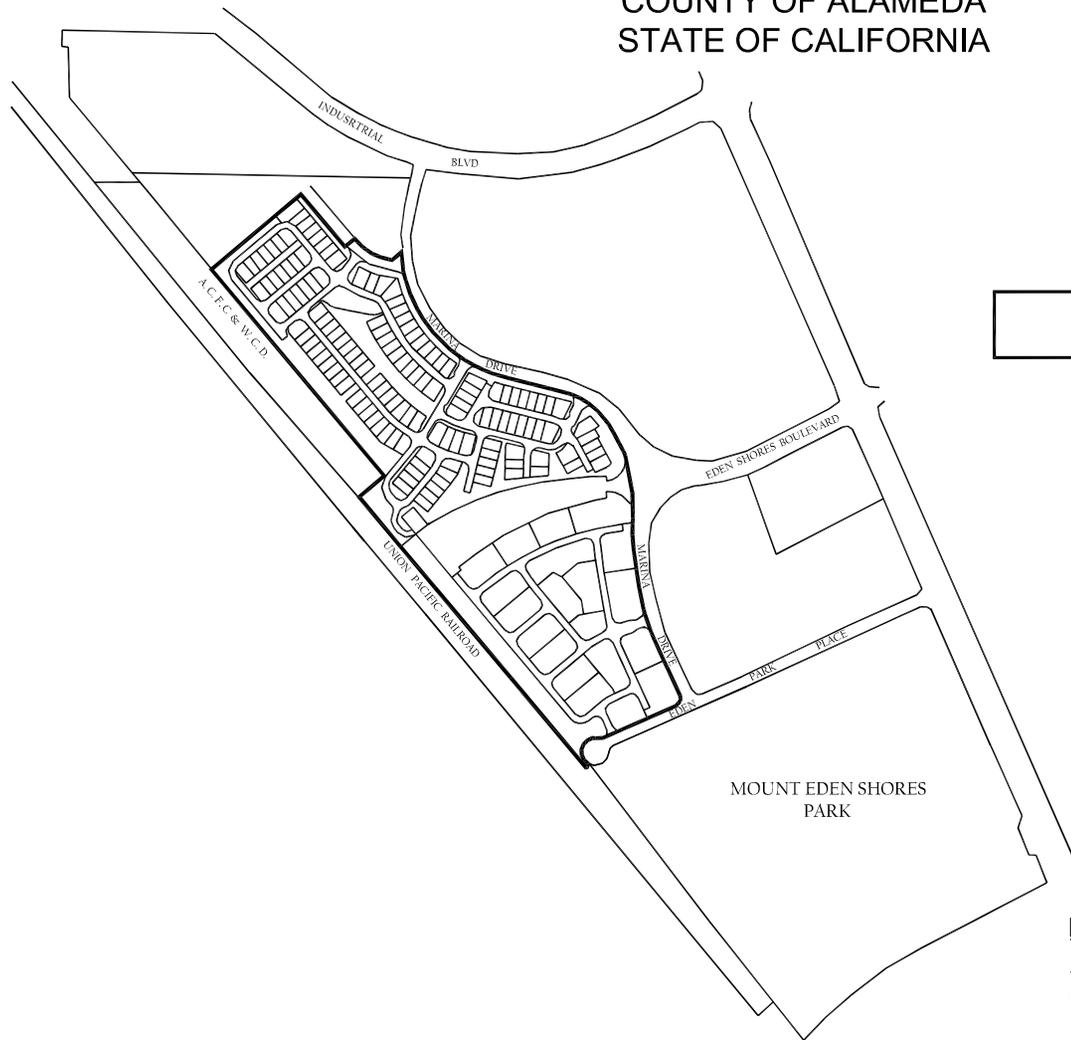


ASSESSMENT DISTRICT DIAGRAM

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 2015
ASSESSMENT ROLL

Zone 01
Huntwood Ave. & Panjon St.
 PRELIMINARY ASSESSMENT ROLL
 FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount
465 -0005-011-00	\$265.64
465 -0005-012-00	\$265.64
465 -0005-013-00	\$265.64
465 -0005-014-00	\$265.64
465 -0005-015-00	\$265.64
465 -0005-016-00	\$265.64
465 -0005-017-00	\$265.64
465 -0005-018-00	\$265.64
465 -0005-019-00	\$265.64
465 -0005-020-00	\$265.64
465 -0005-021-00	\$265.64
465 -0005-022-00	\$265.64
465 -0005-023-00	\$265.64
465 -0005-024-00	\$265.64
465 -0005-025-00	\$265.64
465 -0005-026-00	\$265.64
465 -0005-027-00	\$265.64
465 -0005-028-00	\$265.64
465 -0005-029-00	\$265.64
465 -0005-030-00	\$265.64
465 -0005-031-00	\$265.64
465 -0005-032-00	\$265.64
465 -0005-033-00	\$265.64
465 -0005-034-00	\$265.64
465 -0005-035-00	\$265.64
465 -0005-036-00	\$265.64
465 -0005-037-00	\$265.64
465 -0005-038-00	\$265.64
465 -0005-039-00	\$265.64
465 -0005-040-00	\$265.64
Total Parcels:	@ 30
Total Assessment:	\$7,969.20

Zone 02
Harder Rd. & Mocine Ave.

PRELIMINARY ASSESSMENT ROLL
 FISCAL YEAR 2015

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		
452-0004-045-00	\$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.
PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

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		
425 -0490-009-00	\$782.20	425 -0490-063-00	\$782.20	425 -0490-125-00	\$782.20	Total Parcels:	@ 155
425 -0490-010-00	\$782.20	425 -0490-064-00	\$782.20	425 -0490-127-00	\$782.20		
425 -0490-011-00	\$782.20	425 -0490-065-00	\$782.20	425 -0490-128-00	\$782.20	Total	
425 -0490-012-00	\$782.20	425 -0490-066-00	\$782.20	425 -0490-129-00	\$782.20	Assessment:	\$1 21 ,241 .00
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

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

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.
 PRELIMINARY ASSESSMENT ROLL
 FISCAL YEAR 2015

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

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount
475 -0174-011-05	\$1,245.54
475 -0174-014-01	\$1,211.94
475 -0174-017-01	\$1,022.56
475 -0174-019-02	\$1,189.12
475 -0174-022-01	\$788.98
475 -0174-025-01	\$1,058.58
475 -0174-027-01	\$638.74
475 -0174-033-00	\$841.04
475 -0174-034-00	\$859.44
475 -0174-042-00	\$1,141.48
475 -0174-043-00	\$3,036.86
<hr/>	
Total Parcels:	@ 11
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Total Assessment:	\$13,034.28

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

Zone 07
Mission Blvd, Industrial Pkwy, Arrowhead

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
078G-2651-016-00	\$553.00	078G-2652-050-00	\$553.00	078G-2652-102-00	\$553.00	078G-2652-154-00	\$553.00
078G-2651-018-01	\$553.00	078G-2652-051-00	\$553.00	078G-2652-103-00	\$553.00	078G-2652-155-00	\$553.00
078G-2651-018-02	\$553.00	078G-2652-052-00	\$553.00	078G-2652-104-00	\$553.00	078G-2652-156-00	\$553.00
078G-2651-019-00	\$553.00	078G-2652-053-00	\$553.00	078G-2652-105-00	\$553.00	078G-2652-157-00	\$553.00
078G-2652-002-00	\$553.00	078G-2652-054-00	\$553.00	078G-2652-106-00	\$553.00	078G-2652-158-00	\$553.00
078G-2652-003-00	\$553.00	078G-2652-055-00	\$553.00	078G-2652-107-00	\$553.00	078G-2652-159-00	\$553.00
078G-2652-004-00	\$553.00	078G-2652-056-00	\$553.00	078G-2652-108-00	\$553.00	078G-2652-160-00	\$553.00
078G-2652-005-00	\$553.00	078G-2652-057-00	\$553.00	078G-2652-109-00	\$553.00	078G-2652-161-00	\$553.00
078G-2652-006-00	\$553.00	078G-2652-058-00	\$553.00	078G-2652-110-00	\$553.00	078G-2653-001-00	\$553.00
078G-2652-007-00	\$553.00	078G-2652-059-00	\$553.00	078G-2652-111-00	\$553.00	078G-2653-002-00	\$553.00
078G-2652-008-00	\$553.00	078G-2652-060-00	\$553.00	078G-2652-112-00	\$553.00	078G-2653-003-00	\$553.00
078G-2652-009-00	\$553.00	078G-2652-061-00	\$553.00	078G-2652-113-00	\$553.00	078G-2653-004-00	\$553.00
078G-2652-010-00	\$553.00	078G-2652-062-00	\$553.00	078G-2652-114-00	\$553.00	078G-2653-005-00	\$553.00
078G-2652-011-00	\$553.00	078G-2652-063-00	\$553.00	078G-2652-115-00	\$553.00	078G-2653-006-00	\$553.00
078G-2652-012-00	\$553.00	078G-2652-064-00	\$553.00	078G-2652-116-00	\$553.00	078G-2653-007-00	\$553.00
078G-2652-013-00	\$553.00	078G-2652-065-00	\$553.00	078G-2652-117-00	\$553.00	078G-2653-008-00	\$553.00
078G-2652-014-00	\$553.00	078G-2652-066-00	\$553.00	078G-2652-118-00	\$553.00	078G-2653-009-00	\$553.00
078G-2652-015-00	\$553.00	078G-2652-067-00	\$553.00	078G-2652-119-00	\$553.00	078G-2653-010-00	\$553.00
078G-2652-016-00	\$553.00	078G-2652-068-00	\$553.00	078G-2652-120-00	\$553.00	078G-2653-011-00	\$553.00
078G-2652-017-00	\$553.00	078G-2652-069-00	\$553.00	078G-2652-121-00	\$553.00	078G-2653-012-00	\$553.00
078G-2652-018-00	\$553.00	078G-2652-070-00	\$553.00	078G-2652-122-00	\$553.00	078G-2653-013-00	\$553.00
078G-2652-019-00	\$553.00	078G-2652-071-00	\$553.00	078G-2652-123-00	\$553.00	078G-2653-014-00	\$553.00
078G-2652-020-00	\$553.00	078G-2652-072-00	\$553.00	078G-2652-124-00	\$553.00	078G-2653-015-00	\$553.00
078G-2652-021-00	\$553.00	078G-2652-073-00	\$553.00	078G-2652-125-00	\$553.00	078G-2653-016-00	\$553.00
078G-2652-022-00	\$553.00	078G-2652-074-00	\$553.00	078G-2652-126-00	\$553.00	078G-2653-017-00	\$553.00
078G-2652-023-00	\$553.00	078G-2652-075-00	\$553.00	078G-2652-127-00	\$553.00	078G-2653-018-00	\$553.00
078G-2652-024-00	\$553.00	078G-2652-076-00	\$553.00	078G-2652-128-00	\$553.00	078G-2653-019-00	\$553.00
078G-2652-025-00	\$553.00	078G-2652-077-00	\$553.00	078G-2652-129-00	\$553.00	078G-2653-020-00	\$553.00
078G-2652-026-00	\$553.00	078G-2652-078-00	\$553.00	078G-2652-130-00	\$553.00	078G-2653-021-00	\$553.00
078G-2652-027-00	\$553.00	078G-2652-079-00	\$553.00	078G-2652-131-00	\$553.00	078G-2653-022-00	\$553.00
078G-2652-028-00	\$553.00	078G-2652-080-00	\$553.00	078G-2652-132-00	\$553.00	078G-2653-023-00	\$553.00
078G-2652-029-00	\$553.00	078G-2652-081-00	\$553.00	078G-2652-133-00	\$553.00	078G-2653-024-00	\$553.00
078G-2652-030-00	\$553.00	078G-2652-082-00	\$553.00	078G-2652-134-00	\$553.00	078G-2653-025-00	\$553.00
078G-2652-031-00	\$553.00	078G-2652-083-00	\$553.00	078G-2652-135-00	\$553.00	078G-2653-026-00	\$553.00
078G-2652-032-00	\$553.00	078G-2652-084-00	\$553.00	078G-2652-136-00	\$553.00	078G-2653-027-00	\$553.00
078G-2652-033-00	\$553.00	078G-2652-085-00	\$553.00	078G-2652-137-00	\$553.00	078G-2653-028-00	\$553.00
078G-2652-034-00	\$553.00	078G-2652-086-00	\$553.00	078G-2652-138-00	\$553.00	078G-2653-029-00	\$553.00
078G-2652-035-00	\$553.00	078G-2652-087-00	\$553.00	078G-2652-139-00	\$553.00	078G-2653-030-00	\$553.00
078G-2652-036-00	\$553.00	078G-2652-088-00	\$553.00	078G-2652-140-00	\$553.00	078G-2653-031-00	\$553.00
078G-2652-037-00	\$553.00	078G-2652-089-00	\$553.00	078G-2652-141-00	\$553.00	078G-2653-032-00	\$553.00
078G-2652-038-00	\$553.00	078G-2652-090-00	\$553.00	078G-2652-142-00	\$553.00	078G-2653-033-00	\$553.00
078G-2652-039-00	\$553.00	078G-2652-091-00	\$553.00	078G-2652-143-00	\$553.00	078G-2653-034-00	\$553.00
078G-2652-040-00	\$553.00	078G-2652-092-00	\$553.00	078G-2652-144-00	\$553.00	078G-2653-035-00	\$553.00
078G-2652-041-00	\$553.00	078G-2652-093-00	\$553.00	078G-2652-145-00	\$553.00	078G-2653-036-00	\$553.00
078G-2652-042-00	\$553.00	078G-2652-094-00	\$553.00	078G-2652-146-00	\$553.00	078G-2653-037-00	\$553.00
078G-2652-043-00	\$553.00	078G-2652-095-00	\$553.00	078G-2652-147-00	\$553.00	078G-2653-038-00	\$553.00
078G-2652-044-00	\$553.00	078G-2652-096-00	\$553.00	078G-2652-148-00	\$553.00	078G-2653-039-00	\$553.00
078G-2652-045-00	\$553.00	078G-2652-097-00	\$553.00	078G-2652-149-00	\$553.00	078G-2653-040-00	\$553.00
078G-2652-046-00	\$553.00	078G-2652-098-00	\$553.00	078G-2652-150-00	\$553.00	078G-2653-041-00	\$553.00
078G-2652-047-00	\$553.00	078G-2652-099-00	\$553.00	078G-2652-151-00	\$553.00	078G-2653-042-00	\$553.00
078G-2652-048-00	\$553.00	078G-2652-100-00	\$553.00	078G-2652-152-00	\$553.00	078G-2653-043-00	\$553.00
078G-2652-049-00	\$553.00	078G-2652-101-00	\$553.00	078G-2652-153-00	\$553.00	078G-2653-044-00	\$553.00

Zone 07

Mission Blvd, Industrial Pkwy, Arrowhead

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
078G-2653-045-00	\$553.00	078G-2654-010-00	\$553.00	078G-2654-062-00	\$553.00
078G-2653-046-00	\$553.00	078G-2654-011-00	\$553.00	078G-2654-063-00	\$553.00
078G-2653-047-00	\$553.00	078G-2654-012-00	\$553.00	078G-2654-064-00	\$553.00
078G-2653-048-00	\$553.00	078G-2654-013-00	\$553.00	078G-2654-065-00	\$553.00
078G-2653-049-00	\$553.00	078G-2654-014-00	\$553.00	078G-2654-066-00	\$553.00
078G-2653-050-00	\$553.00	078G-2654-015-00	\$553.00	078G-2654-067-00	\$553.00
078G-2653-051-00	\$553.00	078G-2654-016-00	\$553.00	078G-2654-068-00	\$553.00
078G-2653-052-00	\$553.00	078G-2654-017-00	\$553.00	078G-2654-069-00	\$553.00
078G-2653-053-00	\$553.00	078G-2654-018-00	\$553.00	078G-2654-070-00	\$553.00
078G-2653-054-00	\$553.00	078G-2654-019-00	\$553.00	078G-2654-071-00	\$553.00
078G-2653-055-00	\$553.00	078G-2654-020-00	\$553.00	078G-2654-072-00	\$553.00
078G-2653-056-00	\$553.00	078G-2654-021-00	\$553.00	078G-2654-073-00	\$553.00
078G-2653-057-00	\$553.00	078G-2654-022-00	\$553.00	078G-2654-074-00	\$553.00
078G-2653-058-00	\$553.00	078G-2654-023-00	\$553.00	078G-2654-075-00	\$553.00
078G-2653-059-00	\$553.00	078G-2654-024-00	\$553.00	078G-2654-076-00	\$553.00
078G-2653-060-00	\$553.00	078G-2654-025-00	\$553.00	078G-2654-077-00	\$553.00
078G-2653-061-00	\$553.00	078G-2654-026-00	\$553.00	078G-2654-078-00	\$553.00
078G-2653-062-00	\$553.00	078G-2654-027-00	\$553.00	078G-2654-079-00	\$553.00
078G-2653-063-00	\$553.00	078G-2654-028-00	\$553.00	078G-2654-080-00	\$553.00
078G-2653-064-00	\$553.00	078G-2654-029-00	\$553.00	078G-2654-081-00	\$553.00
078G-2653-065-00	\$553.00	078G-2654-030-00	\$553.00	078G-2654-082-00	\$553.00
078G-2653-066-00	\$553.00	078G-2654-031-00	\$553.00	078G-2654-083-00	\$553.00
078G-2653-067-00	\$553.00	078G-2654-032-00	\$553.00	078G-2654-084-00	\$553.00
078G-2653-068-00	\$553.00	078G-2654-033-00	\$553.00	078G-2654-085-00	\$553.00
078G-2653-069-00	\$553.00	078G-2654-034-00	\$553.00	078G-2654-086-00	\$553.00
078G-2653-070-00	\$553.00	078G-2654-035-00	\$553.00	078G-2654-087-00	\$553.00
078G-2653-071-00	\$553.00	078G-2654-036-00	\$553.00	078G-2654-088-00	\$553.00
078G-2653-072-00	\$553.00	078G-2654-037-00	\$553.00	078G-2654-089-00	\$553.00
078G-2653-073-00	\$553.00	078G-2654-038-00	\$553.00	078G-2654-090-00	\$553.00
078G-2653-074-00	\$553.00	078G-2654-039-00	\$553.00	078G-2654-091-00	\$553.00
078G-2653-075-00	\$553.00	078G-2654-040-00	\$553.00	078G-2654-092-00	\$553.00
078G-2653-076-00	\$553.00	078G-2654-041-00	\$553.00	078G-2654-093-00	\$553.00
078G-2653-077-00	\$553.00	078G-2654-042-00	\$553.00	078G-2654-094-03	\$553.00
078G-2653-078-00	\$553.00	078G-2654-043-00	\$553.00	078G-2654-095-03	\$553.00
078G-2653-079-00	\$553.00	078G-2654-044-00	\$553.00	078G-2654-096-00	\$553.00
078G-2653-080-00	\$553.00	078G-2654-045-00	\$553.00	078G-2651-017-02	\$553.00
078G-2653-081-00	\$553.00	078G-2654-046-00	\$553.00		
078G-2653-082-00	\$553.00	078G-2654-047-00	\$553.00	Total Parcels:	@ 348
078G-2653-083-00	\$553.00	078G-2654-048-00	\$553.00		
078G-2653-084-00	\$553.00	078G-2654-049-00	\$553.00	Total	
078G-2653-085-00	\$553.00	078G-2654-050-00	\$553.00	Assessment:	\$192,444.00
078G-2653-086-00	\$553.00	078G-2654-051-00	\$553.00		
078G-2653-087-00	\$553.00	078G-2654-052-00	\$553.00		
078G-2654-001-00	\$553.00	078G-2654-053-00	\$553.00		
078G-2654-002-00	\$553.00	078G-2654-054-00	\$553.00		
078G-2654-003-00	\$553.00	078G-2654-055-00	\$553.00		
078G-2654-004-00	\$553.00	078G-2654-056-00	\$553.00		
078G-2654-005-00	\$553.00	078G-2654-057-00	\$553.00		
078G-2654-006-00	\$553.00	078G-2654-058-00	\$553.00		
078G-2654-007-00	\$553.00	078G-2654-059-00	\$553.00		
078G-2654-008-00	\$553.00	078G-2654-060-00	\$553.00		
078G-2654-009-00	\$553.00	078G-2654-061-00	\$553.00		

Zone 08
Capitola St.

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount
456 -0096-002-00	\$250.00
456 -0096-003-00	\$250.00
456 -0096-004-00	\$250.00
456 -0096-005-00	\$250.00
456 -0096-006-00	\$250.00
456 -0096-007-00	\$250.00
456 -0096-008-00	\$250.00
456 -0096-009-00	\$250.00
456 -0096-010-00	\$250.00
456 -0096-011-00	\$250.00
456 -0096-012-00	\$250.00
456 -0096-013-00	\$250.00
456 -0096-014-00	\$250.00
456 -0096-015-00	\$250.00
456 -0096-016-00	\$250.00
456 -0096-017-00	\$250.00
456 -0096-018-00	\$250.00
456 -0096-019-00	\$250.00
456 -0096-020-00	\$250.00
456 -0096-021-00	\$250.00
456 -0096-022-00	\$250.00
456 -0096-023-00	\$250.00
456 -0096-024-00	\$250.00
456 -0096-025-00	\$250.00
Total Parcels:	@ 24
Total Assessment:	\$6,000.00

Zone 09
Orchard Avenue

PRELIMINARY ASSESSMENT ROLL
 FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
444-0049-001-00	\$10.00	444-0049-053-00	\$10.00
444-0049-002-00	\$10.00	444-0049-054-00	\$10.00
444-0049-003-00	\$10.00	444-0049-055-00	\$10.00
444-0049-004-00	\$10.00	444-0049-056-00	\$10.00
444-0049-005-00	\$10.00	444-0049-057-00	\$10.00
444-0049-006-00	\$10.00	444-0049-058-00	\$10.00
444-0049-007-00	\$10.00	444-0049-059-00	\$10.00
444-0049-008-00	\$10.00	444-0049-060-00	\$10.00
444-0049-009-00	\$10.00	444-0049-061-00	\$10.00
444-0049-010-00	\$10.00	444-0049-062-00	\$10.00
444-0049-011-00	\$10.00	444-0049-063-00	\$10.00
444-0049-012-00	\$10.00	444-0049-064-00	\$10.00
444-0049-013-00	\$10.00	444-0049-065-00	\$10.00
444-0049-014-00	\$10.00	444-0049-066-00	\$10.00
444-0049-015-00	\$10.00	444-0049-067-00	\$10.00
444-0049-016-00	\$10.00	444-0049-068-00	\$10.00
444-0049-017-00	\$10.00	444-0049-069-00	\$10.00
444-0049-018-00	\$10.00	444-0049-070-00	\$10.00
444-0049-019-00	\$10.00	444-0049-071-00	\$10.00
444-0049-020-00	\$10.00	444-0049-072-00	\$10.00
444-0049-021-00	\$10.00	444-0049-073-00	\$10.00
444-0049-022-00	\$10.00	444-0049-074-00	\$10.00
444-0049-023-00	\$10.00		
444-0049-024-00	\$10.00	Total Parcels:	@ 74
444-0049-025-00	\$10.00	Total	
444-0049-026-00	\$10.00	Assessment:	\$740.00
444-0049-027-00	\$10.00		
444-0049-028-00	\$10.00		
444-0049-029-00	\$10.00		
444-0049-030-00	\$10.00		
444-0049-031-00	\$10.00		
444-0049-032-00	\$10.00		
444-0049-033-00	\$10.00		
444-0049-034-00	\$10.00		
444-0049-035-00	\$10.00		
444-0049-036-00	\$10.00		
444-0049-037-00	\$10.00		
444-0049-038-00	\$10.00		
444-0049-039-00	\$10.00		
444-0049-040-00	\$10.00		
444-0049-041-00	\$10.00		
444-0049-042-00	\$10.00		
444-0049-043-00	\$10.00		
444-0049-044-00	\$10.00		
444-0049-045-00	\$10.00		
444-0049-046-00	\$10.00		
444-0049-047-00	\$10.00		
444-0049-048-00	\$10.00		
444-0049-049-00	\$10.00		
444-0049-050-00	\$10.00		
444-0049-051-00	\$10.00		
444-0049-052-00	\$10.00		

Zone 10
Eden Shores

PRELIMINARY ASSESSMENT ROLL
 FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
461-0102-026-00	\$356.20	461-0103-016-00	\$356.20	461-0103-068-00	\$356.20
461-0102-027-00	\$356.20	461-0103-017-00	\$356.20	461-0103-069-00	\$356.20
461-0102-028-00	\$356.20	461-0103-018-00	\$356.20	461-0103-070-00	\$356.20
461-0102-029-00	\$356.20	461-0103-019-00	\$356.20	461-0103-071-00	\$356.20
461-0102-030-00	\$356.20	461-0103-020-00	\$356.20	461-0103-072-00	\$356.20
461-0102-031-00	\$356.20	461-0103-021-00	\$356.20	461-0103-073-00	\$356.20
461-0102-032-00	\$356.20	461-0103-022-00	\$356.20	461-0103-074-00	\$356.20
461-0102-033-00	\$356.20	461-0103-023-00	\$356.20	461-0103-075-00	\$356.20
461-0102-034-00	\$356.20	461-0103-024-00	\$356.20	461-0103-076-00	\$356.20
461-0102-035-00	\$356.20	461-0103-025-00	\$356.20	461-0103-077-00	\$356.20
461-0102-036-00	\$356.20	461-0103-026-00	\$356.20	461-0103-078-00	\$356.20
461-0102-037-00	\$356.20	461-0103-027-00	\$356.20	461-0103-079-00	\$356.20
461-0102-038-00	\$356.20	461-0103-028-00	\$356.20	461-0103-080-00	\$356.20
461-0102-039-00	\$356.20	461-0103-029-00	\$356.20	461-0103-081-00	\$356.20
461-0102-040-00	\$356.20	461-0103-030-00	\$356.20		
461-0102-041-00	\$356.20	461-0103-031-00	\$356.20	Total Parcels:	@ 534
461-0102-042-00	\$356.20	461-0103-032-00	\$356.20		
461-0102-043-00	\$356.20	461-0103-033-00	\$356.20	Total	
461-0102-044-00	\$356.20	461-0103-034-00	\$356.20	Assessment:	\$1 90,21 0.80
461-0102-045-00	\$356.20	461-0103-035-00	\$356.20		
461-0102-046-00	\$356.20	461-0103-036-00	\$356.20		
461-0102-047-00	\$356.20	461-0103-037-00	\$356.20		
461-0102-048-00	\$356.20	461-0103-038-00	\$356.20		
461-0102-049-00	\$356.20	461-0103-039-00	\$356.20		
461-0102-050-00	\$356.20	461-0103-040-00	\$356.20		
461-0102-051-00	\$356.20	461-0103-041-00	\$356.20		
461-0102-052-00	\$356.20	461-0103-042-00	\$356.20		
461-0102-053-00	\$356.20	461-0103-043-00	\$356.20		
461-0102-054-00	\$356.20	461-0103-044-00	\$356.20		
461-0102-055-00	\$356.20	461-0103-045-00	\$356.20		
461-0102-056-00	\$356.20	461-0103-046-00	\$356.20		
461-0102-057-00	\$356.20	461-0103-047-00	\$356.20		
461-0102-058-00	\$356.20	461-0103-048-00	\$356.20		
461-0102-059-00	\$356.20	461-0103-049-00	\$356.20		
461-0102-060-00	\$356.20	461-0103-050-00	\$356.20		
461-0102-061-00	\$356.20	461-0103-051-00	\$356.20		
461-0102-062-00	\$356.20	461-0103-052-00	\$356.20		
461-0102-063-00	\$356.20	461-0103-053-00	\$356.20		
461-0102-064-00	\$356.20	461-0103-054-00	\$356.20		
461-0102-065-00	\$356.20	461-0103-055-00	\$356.20		
461-0103-004-00	\$356.20	461-0103-056-00	\$356.20		
461-0103-005-00	\$356.20	461-0103-057-00	\$356.20		
461-0103-006-00	\$356.20	461-0103-058-00	\$356.20		
461-0103-007-00	\$356.20	461-0103-059-00	\$356.20		
461-0103-008-00	\$356.20	461-0103-060-00	\$356.20		
461-0103-009-00	\$356.20	461-0103-061-00	\$356.20		
461-0103-010-00	\$356.20	461-0103-062-00	\$356.20		
461-0103-011-00	\$356.20	461-0103-063-00	\$356.20		
461-0103-012-00	\$356.20	461-0103-064-00	\$356.20		
461-0103-013-00	\$356.20	461-0103-065-00	\$356.20		
461-0103-014-00	\$356.20	461-0103-066-00	\$356.20		
461-0103-015-00	\$356.20	461-0103-067-00	\$356.20		

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

Zone II
Stonebrae LLAD

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
085A-6430-005-00	\$379.42	085A-6430-057-00	\$379.42	085A-6430-109-00	\$379.42	085A-6431-048-00	\$379.42
085A-6430-006-00	\$379.42	085A-6430-058-00	\$379.42	085A-6430-110-00	\$379.42	085A-6431-049-00	\$379.42
085A-6430-007-00	\$379.42	085A-6430-059-00	\$379.42	085A-6430-111-00	\$379.42	085A-6431-050-00	\$379.42
085A-6430-008-00	\$379.42	085A-6430-060-00	\$379.42	085A-6430-112-00	\$379.42	085A-6431-051-00	\$379.42
085A-6430-009-00	\$379.42	085A-6430-061-00	\$379.42	085A-6430-113-00	\$379.42	085A-6431-052-00	\$379.42
085A-6430-010-00	\$379.42	085A-6430-062-00	\$379.42	085A-6430-114-00	\$379.42	085A-6431-053-00	\$379.42
085A-6430-011-00	\$379.42	085A-6430-063-00	\$379.42	085A-6430-115-00	\$379.42	085A-6431-054-00	\$379.42
085A-6430-012-00	\$379.42	085A-6430-064-00	\$379.42	085A-6430-116-00	\$379.42	085A-6431-055-00	\$379.42
085A-6430-013-00	\$379.42	085A-6430-065-00	\$379.42	085A-6431-004-00	\$379.42	085A-6431-056-00	\$379.42
085A-6430-014-00	\$379.42	085A-6430-066-00	\$379.42	085A-6431-005-00	\$379.42	085A-6431-057-00	\$379.42
085A-6430-015-00	\$379.42	085A-6430-067-00	\$379.42	085A-6431-006-00	\$379.42	085A-6431-058-00	\$379.42
085A-6430-016-00	\$379.42	085A-6430-068-00	\$379.42	085A-6431-007-00	\$379.42	085A-6431-059-00	\$379.42
085A-6430-017-00	\$379.42	085A-6430-069-00	\$379.42	085A-6431-008-00	\$379.42	085A-6431-060-00	\$379.42
085A-6430-018-00	\$379.42	085A-6430-070-00	\$379.42	085A-6431-009-00	\$379.42	085A-6431-061-00	\$379.42
085A-6430-019-00	\$379.42	085A-6430-071-00	\$379.42	085A-6431-010-00	\$379.42	085A-6431-062-00	\$379.42
085A-6430-020-00	\$379.42	085A-6430-072-00	\$379.42	085A-6431-011-00	\$379.42	085A-6431-063-00	\$379.42
085A-6430-021-00	\$379.42	085A-6430-073-00	\$379.42	085A-6431-012-00	\$379.42	085A-6431-064-00	\$379.42
085A-6430-022-00	\$379.42	085A-6430-074-00	\$379.42	085A-6431-013-00	\$379.42	085A-6431-065-00	\$379.42
085A-6430-023-00	\$379.42	085A-6430-075-00	\$379.42	085A-6431-014-00	\$379.42	085A-6431-066-00	\$379.42
085A-6430-024-00	\$379.42	085A-6430-076-00	\$379.42	085A-6431-015-00	\$379.42	085A-6431-067-00	\$379.42
085A-6430-025-00	\$379.42	085A-6430-077-00	\$379.42	085A-6431-016-00	\$379.42	085A-6431-068-00	\$379.42
085A-6430-026-00	\$379.42	085A-6430-078-00	\$379.42	085A-6431-017-00	\$379.42	085A-6431-069-00	\$379.42
085A-6430-027-00	\$379.42	085A-6430-079-00	\$379.42	085A-6431-018-00	\$379.42	085A-6431-070-00	\$379.42
085A-6430-028-00	\$379.42	085A-6430-080-00	\$379.42	085A-6431-019-00	\$379.42	085A-6431-071-00	\$379.42
085A-6430-029-00	\$379.42	085A-6430-081-00	\$379.42	085A-6431-020-00	\$379.42	085A-6431-072-00	\$379.42
085A-6430-030-00	\$379.42	085A-6430-082-00	\$379.42	085A-6431-021-00	\$379.42	085A-6431-073-00	\$379.42
085A-6430-031-00	\$379.42	085A-6430-083-00	\$379.42	085A-6431-022-00	\$379.42	085A-6431-074-00	\$379.42
085A-6430-032-00	\$379.42	085A-6430-084-00	\$379.42	085A-6431-023-00	\$379.42	085A-6431-075-00	\$379.42
085A-6430-033-00	\$379.42	085A-6430-085-00	\$379.42	085A-6431-024-00	\$379.42	085A-6431-076-00	\$379.42
085A-6430-034-00	\$379.42	085A-6430-086-00	\$379.42	085A-6431-025-00	\$379.42	085A-6431-077-00	\$379.42
085A-6430-035-00	\$379.42	085A-6430-087-00	\$379.42	085A-6431-026-00	\$379.42	085A-6431-078-00	\$379.42
085A-6430-036-00	\$379.42	085A-6430-088-00	\$379.42	085A-6431-027-00	\$379.42	085A-6431-079-00	\$379.42
085A-6430-037-00	\$379.42	085A-6430-089-00	\$379.42	085A-6431-028-00	\$379.42	085A-6431-080-00	\$379.42
085A-6430-038-00	\$379.42	085A-6430-090-00	\$379.42	085A-6431-029-00	\$379.42	085A-6431-081-00	\$379.42
085A-6430-039-00	\$379.42	085A-6430-091-00	\$379.42	085A-6431-030-00	\$379.42	085A-6431-082-00	\$379.42
085A-6430-040-00	\$379.42	085A-6430-092-00	\$379.42	085A-6431-031-00	\$379.42	085A-6431-083-00	\$379.42
085A-6430-041-00	\$379.42	085A-6430-093-00	\$379.42	085A-6431-032-00	\$379.42	085A-6431-084-00	\$379.42
085A-6430-042-00	\$379.42	085A-6430-094-00	\$379.42	085A-6431-033-00	\$379.42	085A-6431-085-00	\$379.42
085A-6430-043-00	\$379.42	085A-6430-095-00	\$379.42	085A-6431-034-00	\$379.42	085A-6431-086-00	\$379.42
085A-6430-044-00	\$379.42	085A-6430-096-00	\$379.42	085A-6431-035-00	\$379.42	085A-6431-087-00	\$379.42
085A-6430-045-00	\$379.42	085A-6430-097-00	\$379.42	085A-6431-036-00	\$379.42	085A-6431-088-00	\$379.42
085A-6430-046-00	\$379.42	085A-6430-098-00	\$379.42	085A-6431-037-00	\$379.42	085A-6431-089-00	\$379.42
085A-6430-047-00	\$379.42	085A-6430-099-00	\$379.42	085A-6431-038-00	\$379.42	085A-6431-090-00	\$379.42
085A-6430-048-00	\$379.42	085A-6430-100-00	\$379.42	085A-6431-039-00	\$379.42	085A-6431-091-00	\$379.42
085A-6430-049-00	\$379.42	085A-6430-101-00	\$379.42	085A-6431-040-00	\$379.42	085A-6431-092-00	\$379.42
085A-6430-050-00	\$379.42	085A-6430-102-00	\$379.42	085A-6431-041-00	\$379.42	085A-6431-093-00	\$379.42
085A-6430-051-00	\$379.42	085A-6430-103-00	\$379.42	085A-6431-042-00	\$379.42	085A-6431-094-00	\$379.42
085A-6430-052-00	\$379.42	085A-6430-104-00	\$379.42	085A-6431-043-00	\$379.42	085A-6431-095-00	\$379.42
085A-6430-053-00	\$379.42	085A-6430-105-00	\$379.42	085A-6431-044-00	\$379.42	085A-6431-096-00	\$379.42
085A-6430-054-00	\$379.42	085A-6430-106-00	\$379.42	085A-6431-045-00	\$379.42	085A-6431-097-00	\$379.42
085A-6430-055-00	\$379.42	085A-6430-107-00	\$379.42	085A-6431-046-00	\$379.42	085A-6431-098-00	\$379.42
085A-6430-056-00	\$379.42	085A-6430-108-00	\$379.42	085A-6431-047-00	\$379.42	085A-6431-099-00	\$379.42

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

Zone II
Stonebrae LLAD

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

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	\$379.42	085A-6432-051-00	\$379.42	085A-6433-014-00	\$379.42	085A-6434-012-00	\$379.42
085A-6431-101-00	\$379.42	085A-6432-052-00	\$379.42	085A-6433-015-00	\$379.42	085A-6434-013-00	\$379.42
085A-6431-102-00	\$379.42	085A-6432-053-00	\$379.42	085A-6433-016-00	\$379.42	085A-6434-014-00	\$379.42
085A-6431-103-00	\$379.42	085A-6432-054-00	\$379.42	085A-6433-017-00	\$379.42		
085A-6431-104-00	\$379.42	085A-6432-055-00	\$379.42	085A-6433-018-00	\$379.42	Total Parcels:	@ 367
085A-6431-105-00	\$379.42	085A-6432-056-00	\$379.42	085A-6433-019-00	\$379.42	Total	
085A-6428-027-00	\$13,061.10	085A-6432-057-00	\$379.42	085A-6433-020-00	\$379.42	Assessment:	\$180,708.16
085A-6432-006-00	\$379.42	085A-6432-058-00	\$379.42	085A-6433-021-00	\$379.42		
085A-6432-007-00	\$379.42	085A-6432-059-00	\$379.42	085A-6433-022-00	\$379.42		
085A-6432-008-00	\$379.42	085A-6432-060-00	\$379.42	085A-6433-023-00	\$379.42		
085A-6432-009-00	\$379.42	085A-6432-061-00	\$379.42	085A-6433-024-00	\$379.42		
085A-6432-010-00	\$379.42	085A-6432-062-00	\$379.42	085A-6433-025-00	\$379.42		
085A-6432-011-00	\$379.42	085A-6432-063-00	\$379.42	085A-6433-026-00	\$379.42		
085A-6432-012-00	\$379.42	085A-6432-064-00	\$379.42	085A-6433-027-00	\$379.42		
085A-6432-013-00	\$379.42	085A-6432-065-00	\$379.42	085A-6433-028-00	\$379.42		
085A-6432-014-00	\$379.42	085A-6432-066-00	\$379.42	085A-6433-029-00	\$379.42		
085A-6432-015-00	\$379.42	085A-6432-067-00	\$379.42	085A-6433-030-00	\$379.42		
085A-6432-016-00	\$379.42	085A-6432-068-00	\$379.42	085A-6433-031-00	\$379.42		
085A-6432-017-00	\$379.42	085A-6432-069-00	\$379.42	085A-6433-032-00	\$379.42		
085A-6432-018-00	\$379.42	085A-6432-070-00	\$379.42	085A-6433-033-00	\$379.42		
085A-6432-019-00	\$379.42	085A-6432-071-00	\$379.42	085A-6433-034-00	\$379.42		
085A-6432-020-00	\$379.42	085A-6432-072-00	\$379.42	085A-6433-035-00	\$379.42		
085A-6432-021-00	\$379.42	085A-6432-073-00	\$379.42	085A-6433-036-00	\$379.42		
085A-6432-022-00	\$379.42	085A-6432-074-00	\$379.42	085A-6433-037-00	\$379.42		
085A-6432-023-00	\$379.42	085A-6432-075-00	\$379.42	085A-6433-038-00	\$379.42		
085A-6432-024-00	\$379.42	085A-6432-076-00	\$379.42	085A-6433-039-00	\$379.42		
085A-6432-025-00	\$379.42	085A-6432-077-00	\$379.42	085A-6433-040-00	\$379.42		
085A-6432-026-00	\$379.42	085A-6432-078-00	\$379.42	085A-6433-041-00	\$379.42		
085A-6432-027-00	\$379.42	085A-6432-079-00	\$379.42	085A-6433-042-00	\$379.42		
085A-6432-028-00	\$379.42	085A-6432-080-00	\$379.42	085A-6433-043-00	\$379.42		
085A-6432-029-00	\$379.42	085A-6432-081-00	\$379.42	085A-6433-044-00	\$379.42		
085A-6432-030-00	\$379.42	085A-6432-082-00	\$379.42	085A-6433-045-00	\$379.42		
085A-6432-031-00	\$379.42	085A-6432-083-00	\$379.42	085A-6433-046-00	\$379.42		
085A-6432-032-00	\$379.42	085A-6432-084-00	\$379.42	085A-6433-047-00	\$379.42		
085A-6432-033-00	\$379.42	085A-6432-085-00	\$379.42	085A-6433-048-00	\$379.42		
085A-6432-034-00	\$379.42	085A-6432-086-00	\$379.42	085A-6433-049-00	\$379.42		
085A-6432-035-00	\$379.42	085A-6432-087-00	\$379.42	085A-6433-050-00	\$379.42		
085A-6432-036-00	\$379.42	085A-6432-088-00	\$379.42	085A-6433-051-00	\$379.42		
085A-6432-037-00	\$379.42	085A-6432-089-00	\$379.42	085A-6433-052-00	\$379.42		
085A-6432-038-00	\$379.42	085A-6432-090-00	\$379.42	085A-6428-030-00	\$379.42		
085A-6432-039-00	\$379.42	085A-6433-002-00	\$379.42	085A-6428-031-00	\$17,079.90		
085A-6432-040-00	\$379.42	085A-6433-003-00	\$379.42	085A-6434-001-00	\$12,458.28		
085A-6432-041-00	\$379.42	085A-6433-004-00	\$379.42	085A-6434-002-00	\$379.42		
085A-6432-042-00	\$379.42	085A-6433-005-00	\$379.42	085A-6434-003-00	\$379.42		
085A-6432-043-00	\$379.42	085A-6433-006-00	\$379.42	085A-6434-004-00	\$379.42		
085A-6432-044-00	\$379.42	085A-6433-007-00	\$379.42	085A-6434-005-00	\$379.42		
085A-6432-045-00	\$379.42	085A-6433-008-00	\$379.42	085A-6434-006-00	\$379.42		
085A-6432-046-00	\$379.42	085A-6433-009-00	\$379.42	085A-6434-007-00	\$379.42		
085A-6432-047-00	\$379.42	085A-6433-010-00	\$379.42	085A-6434-008-00	\$379.42		
085A-6432-048-00	\$379.42	085A-6433-011-00	\$379.42	085A-6434-009-00	\$379.42		
085A-6432-049-00	\$379.42	085A-6433-012-00	\$379.42	085A-6434-010-00	\$379.42		
085A-6432-050-00	\$379.42	085A-6433-013-00	\$379.42	085A-6434-011-00	\$379.42		

Zone 12
Eden Shores East

PRELIMINARY ASSESSMENT ROLL
 FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount
456-0098-103-00	\$185.72
456-0098-104-00	\$185.72
456-0098-105-00	\$185.72
456-0098-106-00	\$185.72
456-0098-107-00	\$185.72
456-0098-108-00	\$185.72
456-0098-110-00	\$185.72
456-0098-111-00	\$185.72
456-0098-112-00	\$185.72
456-0098-113-00	\$185.72
456-0098-114-00	\$185.72
456-0098-115-00	\$185.72
456-0098-117-00	\$185.72
456-0098-118-00	\$185.72
456-0098-119-00	\$185.72
456-0098-120-00	\$185.72
456-0098-121-00	\$185.72
456-0098-122-00	\$185.72
456-0098-124-00	\$185.72
456-0098-125-00	\$185.72
456-0098-126-00	\$185.72
456-0098-127-00	\$185.72
456-0098-128-00	\$185.72
456-0098-129-00	\$185.72
456-0098-131-00	\$185.72
456-0098-132-00	\$185.72
456-0098-133-00	\$185.72
456-0098-134-00	\$185.72
456-0098-135-00	\$185.72
456-0098-136-00	\$185.72
456-0098-138-00	\$185.72
456-0098-139-00	\$185.72
456-0098-140-00	\$185.72
456-0098-141-00	\$185.72
456-0098-143-00	\$185.72
456-0098-144-00	\$185.72
456-0098-145-00	\$185.72
456-0098-146-00	\$185.72
456-0098-147-00	\$185.72
456-0098-148-00	\$185.72
456-0098-150-00	\$185.72
456-0098-151-00	\$185.72
456-0098-152-00	\$185.72
456-0098-153-00	\$185.72
456-0098-154-00	\$185.72
456-0098-155-00	\$185.72
456-0098-157-00	\$185.72
456-0098-158-00	\$185.72
456-0098-159-00	\$185.72
456-0098-160-00	\$185.72
456-0098-161-00	\$185.72
456-0098-162-00	\$185.72

Assessor's Parcel Number	Assessment Amount
456-0100-044-01	\$185.72
Total Parcels: @ 261	
Total Assessment: \$48,472.92	

City of Hayward
Landscaping & Lighting District No. 96-1
Zone 13

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount						
431-0108-284-00	\$150.00	431-0118-113-00	\$150.00	431-0118-176-00	\$150.00	431-0118-239-00	\$150.00
431-0108-285-00	\$150.00	431-0118-114-00	\$150.00	431-0118-177-00	\$150.00	431-0118-240-00	\$150.00
431-0108-286-00	\$150.00	431-0118-115-00	\$150.00	431-0118-178-00	\$150.00	431-0118-241-00	\$150.00
431-0108-287-00	\$150.00	431-0118-116-00	\$150.00	431-0118-180-00	\$150.00		
431-0118-056-00	\$150.00	431-0118-117-00	\$150.00	431-0118-181-00	\$150.00	Total Parcels:	@ 575
431-0118-057-00	\$150.00	431-0118-119-00	\$150.00	431-0118-182-00	\$150.00	Total	
431-0118-058-00	\$150.00	431-0118-120-00	\$150.00	431-0118-183-00	\$150.00	Assessment:	\$89,850.00
431-0118-059-00	\$150.00	431-0118-121-00	\$150.00	431-0118-185-00	\$150.00		
431-0118-060-00	\$150.00	431-0118-122-00	\$150.00	431-0118-186-00	\$150.00		
431-0118-062-00	\$150.00	431-0118-123-00	\$150.00	431-0118-187-00	\$150.00		
431-0118-063-00	\$150.00	431-0118-142-00	\$150.00	431-0118-188-00	\$150.00		
431-0118-064-00	\$150.00	431-0118-143-00	\$150.00	431-0118-190-00	\$150.00		
431-0118-065-00	\$150.00	431-0118-144-00	\$150.00	431-0118-191-00	\$150.00		
431-0118-066-00	\$150.00	431-0118-145-00	\$150.00	431-0118-192-00	\$150.00		
431-0118-068-00	\$150.00	431-0118-125-00	\$150.00	431-0118-193-00	\$150.00		
431-0118-069-00	\$150.00	431-0118-126-00	\$150.00	431-0118-194-00	\$150.00		
431-0118-070-00	\$150.00	431-0118-127-00	\$150.00	431-0118-196-00	\$150.00		
431-0118-071-00	\$150.00	431-0118-128-00	\$150.00	431-0118-197-00	\$150.00		
431-0118-072-00	\$150.00	431-0118-129-00	\$150.00	431-0118-198-00	\$150.00		
431-0118-081-00	\$150.00	431-0118-131-00	\$150.00	431-0118-199-00	\$150.00		
431-0118-082-00	\$150.00	431-0118-132-00	\$150.00	431-0118-200-00	\$150.00		
431-0118-083-00	\$150.00	431-0118-133-00	\$150.00	431-0118-202-00	\$150.00		
431-0118-084-00	\$150.00	431-0118-134-00	\$150.00	431-0118-203-00	\$150.00		
431-0118-085-00	\$150.00	431-0118-135-00	\$150.00	431-0118-204-00	\$150.00		
431-0118-086-00	\$150.00	431-0118-137-00	\$150.00	431-0118-205-00	\$150.00		
431-0118-074-00	\$150.00	431-0118-138-00	\$150.00	431-0118-207-00	\$150.00		
431-0118-075-00	\$150.00	431-0118-139-00	\$150.00	431-0118-208-00	\$150.00		
431-0118-076-00	\$150.00	431-0118-140-00	\$150.00	431-0118-209-00	\$150.00		
431-0118-077-00	\$150.00	431-0118-147-00	\$150.00	431-0118-210-00	\$150.00		
431-0118-078-00	\$150.00	431-0118-148-00	\$150.00	431-0118-211-00	\$150.00		
431-0118-079-00	\$150.00	431-0118-149-00	\$150.00	431-0118-212-00	\$150.00		
431-0118-095-00	\$150.00	431-0118-150-00	\$150.00	431-0118-214-00	\$150.00		
431-0118-096-00	\$150.00	431-0118-151-00	\$150.00	431-0118-215-00	\$150.00		
431-0118-097-00	\$150.00	431-0118-153-00	\$150.00	431-0118-216-00	\$150.00		
431-0118-098-00	\$150.00	431-0118-154-00	\$150.00	431-0118-217-00	\$150.00		
431-0118-099-00	\$150.00	431-0118-155-00	\$150.00	431-0118-218-00	\$150.00		
431-0118-088-00	\$150.00	431-0118-156-00	\$150.00	431-0118-219-00	\$150.00		
431-0118-089-00	\$150.00	431-0118-158-00	\$150.00	431-0118-221-00	\$150.00		
431-0118-090-00	\$150.00	431-0118-159-00	\$150.00	431-0118-222-00	\$150.00		
431-0118-091-00	\$150.00	431-0118-160-00	\$150.00	431-0118-223-00	\$150.00		
431-0118-092-00	\$150.00	431-0118-161-00	\$150.00	431-0118-224-00	\$150.00		
431-0118-093-00	\$150.00	431-0118-162-00	\$150.00	431-0118-226-00	\$150.00		
431-0118-101-00	\$150.00	431-0118-164-00	\$150.00	431-0118-227-00	\$150.00		
431-0118-102-00	\$150.00	431-0118-165-00	\$150.00	431-0118-228-00	\$150.00		
431-0118-103-00	\$150.00	431-0118-166-00	\$150.00	431-0118-229-00	\$150.00		
431-0118-104-00	\$150.00	431-0118-167-00	\$150.00	431-0118-230-00	\$150.00		
431-0118-105-00	\$150.00	431-0118-168-00	\$150.00	431-0118-231-00	\$150.00		
431-0118-106-00	\$150.00	431-0118-170-00	\$150.00	431-0118-233-00	\$150.00		
431-0118-108-00	\$150.00	431-0118-171-00	\$150.00	431-0118-234-00	\$150.00		
431-0118-109-00	\$150.00	431-0118-172-00	\$150.00	431-0118-235-00	\$150.00		
431-0118-110-00	\$150.00	431-0118-173-00	\$150.00	431-0118-236-00	\$150.00		
431-0118-111-00	\$150.00	431-0118-175-00	\$150.00	431-0118-238-00	\$150.00		

DATE: June 17, 2014

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2015 for Maintenance District No. 1 – Storm Drainage Pumping Station and Storm Drain Conduit Located at Pacheco Way, Stratford Road and Ruus Lane, and Set July 15, 2014, as the Public Hearing Date for Such Actions

RECOMMENDATION

That the City Council adopts the attached resolution (Attachment I).

BACKGROUND

The annual Engineer's Report (Report) for Maintenance District No. 1 is presented to the City Council in compliance with Section 10-10.25 of the Hayward Municipal Code. The attached Report (Attachment II) includes the recommended assessment amount (\$171.60) to be levied against each property for Fiscal Year 2015.

Maintenance District No. 1 (Maintenance District) 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. The 1995 agreement states that the Flood Control District concurred with transfer of the pump station, subject to the Maintenance District providing the Flood Control District with sufficient funds to operate, maintain, and provide for capital equipment replacement and modifications that may become necessary for the optimal performance of the pump station. The Flood Control District, based on its experience as operator, provided an annual estimate of operation costs for the budget amounts in the attached Report.

DISCUSSION

The maximum annual assessment rate for the District was set in 1995 at \$171.60 per parcel. This maximum annual assessment rate did not have an allowance for future increases based upon the

annual change in the Consumer Price Index. Therefore, the maximum assessment revenue that can be generated from the parcels within the District is \$30,030 per year.

Initially, in 1995, the annual assessment revenue exceeded expenses and the City was able to build a small operating reserve. Over the years, as expenses increased, the operating reserves were depleted. In 2006, City staff proposed to have the maximum annual assessment rate increased to \$205.92 and indexed to the Consumer Price Index (CPI) each fiscal year thereafter. Ballots were sent to all property owners within the District and the proposed assessment increase was defeated by a wide margin.

In order to cover the annual revenue shortfall, the City has had to transfer funds from Landscape and Lighting Assessment District 96-1, Zone 4 (LLD Zone 4) into the District. LLD Zone 4 encompasses the same properties as Maintenance District No. 1. In FY 2015, the City is proposing to transfer in \$5,950 from LLD Zone 4's drainage facilities services budget to pay for drainage maintenance services budgeted in the Engineer's Report for the Maintenance District No. 1.

In the fall of 2014, City staff will be evaluating the need to increase assessments to ensure there are adequate funds to continue to provide proper operation, maintenance and capital replacement of the storm water pumping facilities which benefit the parcels within Maintenance District No. 1. As part of this effort, the Flood Control District will be updating its capital replacement study to determine if Maintenance District No. 1 is adequately funded. If it is determined that assessment rates need to be increased, City staff will ask City Council for approval to conduct an assessment election to increase assessments in late 2014. This assessment election process will also include conducting property owner meetings within the Maintenance District No. 1 neighborhood to discuss the need for the assessment increase.

Proposition 218 Compliance – The proposed FY 2015 assessment rate is \$171.60 per parcel, which is at the previously approved maximum annual assessment rate. Therefore, the proposed FY 2015 assessment is in compliance with the provisions of Proposition 218 because it does not exceed the previous approved maximum assessment formula. Since the proposed FY2015 assessment is at the maximum assessment rate, the noticing and balloting requirements of Proposition 218 are not required.

FISCAL IMPACT

There is no fiscal impact to the City's General Fund for this recommendation because the present costs, including those incurred by the Flood Control District in maintaining the pump station, can still be paid for by the District fund account, with some augmentation from the LLD Zone 4 funds. However, if assessment amounts 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.

PUBLIC CONTACT

A public meeting was held on May 8, 2014 for the property owners within the District. At that meeting, staff was available to explain the District's responsibilities and funding, and property owners were given the opportunity to ask questions regarding assessments and services. There were no property owners in attendance from Maintenance District No. 1. Property owners can also raise concerns about their assessments during the July 15, 2014 Council hearing. Before the City Council public hearing on July 15, 2014, notices of the hearing will be published once in *The Daily Review* newspaper and also sent to all affected property owners.

NEXT STEPS

Once the City Council adopts the attached resolution of intention, the following next steps will occur:

1. On July 15, 2014, Council will hold a public hearing to consider approving the Engineer's Report and ordering the levy of assessments for Fiscal Year 2015.

Prepared by: Shahram Aghamir, P.E., Development Review Engineer

Recommended by: David Rizk, AICP, Development Services Director

Approved by:



Fran David, City Manager

Attachments:

Attachment I Resolution

Attachment II Preliminary Engineer's Report

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-_____

Introduced by Council Member _____

RESOLUTION OF INTENTION PRELIMINARILY APPROVING
ENGINEER'S REPORT, DECLARING INTENTION TO LEVY
ASSESSMENTS FOR FISCAL YEAR 2015, AND SETTING JULY 15, 2014, AS
THE PUBLIC HEARING DATE CONCERNING MAINTENANCE DISTRICT
NO. 1 - STORM DRAINAGE PUMPING STATION AND STORM DRAIN
CONDUIT - PACHECO WAY, STRATFORD ROAD, AND RUUS LANE

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

1. Maintenance District No. 1- Storm Drainage Pumping Station and Storm Drain Conduit – Pacheco Way, Stratford Road, and Ruus Lane (the District) was established by the adoption of Resolution No. 95-103 to provide funds to operate, maintain, and service a storm drainage pumping station and storm drain conduit constructed to provide a means of handling storm water runoff for Tracts 6472, 6560, 6682, and 6683. The District consists of properties as shown on the Assessment Roll on file in the Office of the Hayward City Clerk.
2. The Engineer of Work has prepared a report in accordance with Section 10-10.25 of the Hayward Municipal Code. Said report has been made, filed, and duly considered by this City Council and is hereby deemed sufficient and preliminarily approved. Said report shall stand as the report for all subsequent proceedings relating to the proposed levy of the District assessments for Fiscal Year 2015.
3. It is the intention of the City Council to order the levy and collection of assessments for the maintenance of the storm drainage pumping station and storm drain conduit pursuant to Part 3, Chapter 26 of Division 7 of the California Streets and Highways Code (commencing with section 5820 thereof).
4. The proposed assessment for upcoming fiscal year is \$171.60, the same as the current fiscal year, and at the maximum base assessment and is in compliance with the provisions of Proposition 218.
5. Reference is hereby made to the aforementioned report on file with the City Clerk for a full and detailed description of the improvements, the boundaries of the proposed maintenance district, and the proposed assessments upon assessable lots within said

PRELIMINARY ENGINEER'S REPORT

CITY OF HAYWARD
MAINTENANCE DISTRICT No. 1

Fiscal Year 2015



June 17, 2014

	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 2015 Assessment Roll	

CITY COUNCIL MEMBERS AND CITY STAFF

Michael Sweeney
Mayor

Barbara Halliday
Council Member

Greg Jones
Council Member

Al Mendall
Council Member

Marvin Peixoto
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

Shahram Aghamir, P.E.
Engineer of Work

CITY OF HAYWARD
MAINTENANCE DISTRICT No. 1
FISCAL YEAR 2014

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: _____
Shahram Aghamir, P.E.
RCE No. 48095

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 _____, 2014.

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 _____, 2014.

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 _____, 2014.

By: _____
Shahram Aghamir, P.E.
RCE No. 48095

SECTION I

INTRODUCTION
ENGINEER'S REPORT

CITY OF HAYWARD
MAINTENANCE DISTRICT NO. 1

FISCAL YEAR 2015

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.

In FY 2015 the City will be evaluating the need to increase assessments to ensure there are adequate funds to continue to provide proper operation, maintenance and capital replacement of the storm water pumping facilities within Maintenance District No. 1. As part of this effort the County of Alameda will be updating their capital replacement study to determine if the Maintenance District No. 1 is adequately funded. If it is determined that assessment rates should be increased staff will plan to ask for City Council approval to increase the assessments in late 2014.

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 2015, the proposed collection rate is \$171.60 per parcel, the same as the current fiscal year. Since the proposed Fiscal Year 2015 assessment is at the maximum base assessment of \$171.60, Proposition 218 proceedings are not needed.

Current Annual Administration

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

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

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

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

The City of Hayward will hold a public hearing on July 15, 2014, 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 2015 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 2015

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. 14-____, Preliminarily Approving the Engineer's Report, on June 17, 2014 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, Shahram Aghamir, 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 2015

The following improvements are proposed to be operated, maintained and serviced in Maintenance District No. 1 for Fiscal Year 2015:

- *The Stratford Village Storm Water Lift Station (SWLS) which includes:*
 - *2 – 15 H.P. Pumps*
 - *1 – 5 H.P. Pump*
 - *1 – 3 H.P. Dewatering Pump*
 - *1 – Generator*
 - *1 – Masonry Building to House the SCADA System and Generator*

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 2015, 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 2015 are summarized in Table No. 1 on the following page. These cost estimates are based on Alameda County budget projections for Fiscal Year 2015. In addition, the budget table shows costs owed to Alameda County for the prior fiscal years. This is due to the fact that the City changed accounting systems and the prior fiscal year payments were not processed.

TABLE I: COST ESTIMATE FISCAL YEAR 2015	
Fund 836 - Maintenance District No. 1	
	Fiscal Year 2015 Budget
Number of Assessable Parcels	175
Beginning Balance of Fiscal Year (July 1, 2014) - City Funds	\$52,204.89
Beginning Balance of Fiscal Year (July 1, 2014) - County Funds	<u>\$60,371.00</u>
Total Beginning Fund Balance	\$112,575.89
<u>REVENUE</u>	
Annual Assessment Fee (175 Assessable Parcels)	\$30,030.00
County Collection Fee (1.7%)	(\$510.51)
Payment by LLAD - Zone 4	\$5,950.00
Total Net Revenue	<u>\$35,469.49</u>
Total Available	<u>\$148,045.38</u>
<u>EXPENDITURE</u>	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$1,420.00
Subtotal I:	<u>\$1,420.00</u>
<u>II. Supplies & Services</u>	
(a) Special Services	\$855.00
(b) Alameda County Flood Control District ⁽¹⁾	\$32,008.00
(c) Alameda County Flood Control District ⁽²⁾	\$48,748.00
(d) Supplies: printing, postage and publishing	\$175.00
Subtotal II:	<u>\$81,786.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$1,000.00
(b) Administration - Proposition 218 Election	\$7,500.00
Subtotal III:	<u>\$8,500.00</u>
<u>Total Expense (Sum of I, II and III)</u>	<u>\$91,706.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$56,339.38</u>
Change in Reserve Fund Balance	<u>(\$56,236.51)</u>
<u>RESERVE DETAIL</u>	
Required Operating Reserves ⁽³⁾	\$0.00
Available Capital Reserves ⁽⁴⁾	\$56,339.38
Subtotal:	<u>\$56,339.38</u>
Assessment Amount per Parcel	\$171.60
Maximum Base Assessment Amount per Parcel	\$171.60
<u>NOTES:</u>	
<p>⁽¹⁾ These items reflect the FY2015 budget as proposed by the Alameda County Flood Control District.</p> <p>⁽²⁾ These items reflect one-half of the FY2013 invoice and full FY 2014 invoice from the Alameda County Flood Control District which has not been paid.</p> <p>⁽³⁾ 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.</p> <p>⁽⁴⁾ Reflects the amount of operating and capital reserves funds currently available at the Alameda County Flood Control District.</p>	

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 2015.

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 2015 maintenance and incidental costs are estimated to be \$35,458.00. The collection rate for Fiscal Year 2015 will be at the maximum base assessment of \$171.60 per parcel.

PART E

PROPERTY OWNER LIST & ASSESSMENT ROLL

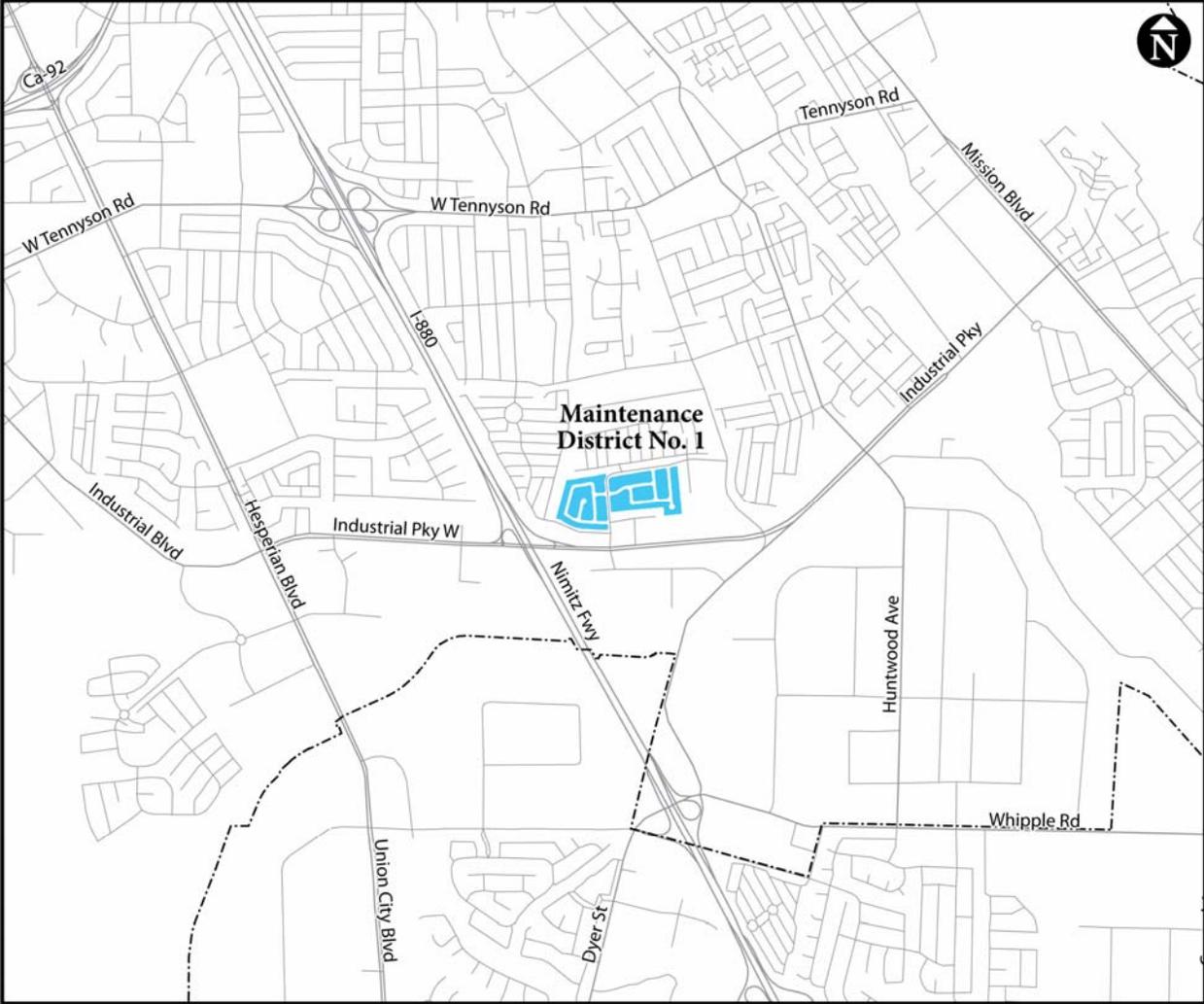
A list of names and addresses of the owners of all parcels within the City of Hayward's Maintenance District No. 1 is shown on the last equalized Property Tax Roll of the Assessor of the County of Alameda, which is hereby made a part of this report. This list is keyed to the Assessor's Parcel Numbers 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 2015 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 assessment amount proposed to be collected for Fiscal Year 2015 is \$30,030.00.

The Assessment Roll for Fiscal Year 2015 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

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

NOT TO SCALE



LEGEND
— NEW PARCEL BOUNDARIES
— ASSESSMENT DISTRICT BOUNDARIES

APPENDIX C

FISCAL YEAR 2015
ASSESSMENT ROLL

City of Hayward
Maintenance District No. 1

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
464-0121-001-00	\$171.60	464-0121-057-00	\$171.60	464-0122-013-00	\$171.60
464-0121-002-00	\$171.60	464-0121-058-00	\$171.60	464-0122-014-00	\$171.60
464-0121-003-00	\$171.60	464-0121-059-00	\$171.60	464-0122-015-00	\$171.60
464-0121-004-00	\$171.60	464-0121-060-00	\$171.60	464-0122-016-00	\$171.60
464-0121-005-00	\$171.60	464-0121-061-00	\$171.60	464-0122-017-00	\$171.60
464-0121-006-00	\$171.60	464-0121-062-00	\$171.60	464-0122-018-00	\$171.60
464-0121-007-00	\$171.60	464-0121-063-00	\$171.60	464-0122-019-00	\$171.60
464-0121-008-00	\$171.60	464-0121-064-00	\$171.60	464-0122-020-00	\$171.60
464-0121-009-00	\$171.60	464-0121-065-00	\$171.60	464-0122-021-00	\$171.60
464-0121-010-00	\$171.60	464-0121-066-00	\$171.60	464-0122-022-00	\$171.60
464-0121-011-00	\$171.60	464-0121-067-00	\$171.60	464-0122-023-00	\$171.60
464-0121-012-00	\$171.60	464-0121-068-00	\$171.60	464-0122-024-00	\$171.60
464-0121-013-00	\$171.60	464-0121-069-00	\$171.60	464-0122-025-00	\$171.60
464-0121-014-00	\$171.60	464-0121-070-00	\$171.60	464-0122-026-00	\$171.60
464-0121-015-00	\$171.60	464-0121-071-00	\$171.60	464-0122-027-00	\$171.60
464-0121-016-00	\$171.60	464-0121-072-00	\$171.60	464-0122-028-00	\$171.60
464-0121-017-00	\$171.60	464-0121-073-00	\$171.60	464-0122-029-00	\$171.60
464-0121-018-00	\$171.60	464-0121-074-00	\$171.60	464-0122-030-00	\$171.60
464-0121-019-00	\$171.60	464-0121-075-00	\$171.60	464-0122-031-00	\$171.60
464-0121-020-00	\$171.60	464-0121-076-00	\$171.60	464-0122-032-00	\$171.60
464-0121-021-00	\$171.60	464-0121-077-00	\$171.60	464-0122-033-00	\$171.60
464-0121-022-00	\$171.60	464-0121-078-00	\$171.60	464-0122-034-00	\$171.60
464-0121-023-00	\$171.60	464-0121-080-00	\$171.60	464-0122-035-00	\$171.60
464-0121-024-00	\$171.60	464-0121-081-00	\$171.60	464-0122-036-00	\$171.60
464-0121-025-00	\$171.60	464-0121-082-00	\$171.60	464-0122-037-00	\$171.60
464-0121-026-00	\$171.60	464-0121-083-00	\$171.60	464-0122-038-00	\$171.60
464-0121-027-00	\$171.60	464-0121-084-00	\$171.60	464-0122-039-00	\$171.60
464-0121-028-00	\$171.60	464-0121-085-00	\$171.60	464-0122-040-00	\$171.60
464-0121-029-00	\$171.60	464-0121-086-00	\$171.60	464-0122-041-00	\$171.60
464-0121-030-00	\$171.60	464-0121-087-00	\$171.60	464-0122-042-00	\$171.60
464-0121-031-00	\$171.60	464-0121-088-00	\$171.60	464-0122-043-00	\$171.60
464-0121-032-00	\$171.60	464-0121-089-00	\$171.60	464-0122-044-00	\$171.60
464-0121-033-00	\$171.60	464-0121-090-00	\$171.60	464-0122-045-00	\$171.60
464-0121-034-00	\$171.60	464-0121-091-00	\$171.60	464-0122-046-00	\$171.60
464-0121-035-00	\$171.60	464-0121-092-00	\$171.60	464-0122-047-00	\$171.60
464-0121-036-00	\$171.60	464-0121-093-00	\$171.60	464-0122-048-00	\$171.60
464-0121-037-00	\$171.60	464-0121-094-00	\$171.60	464-0122-049-00	\$171.60
464-0121-038-00	\$171.60	464-0121-095-00	\$171.60	464-0122-050-00	\$171.60
464-0121-039-00	\$171.60	464-0121-096-00	\$171.60	464-0122-051-00	\$171.60
464-0121-040-00	\$171.60	464-0122-001-00	\$171.60	464-0122-052-00	\$171.60
464-0121-041-00	\$171.60	464-0122-003-00	\$171.60	464-0122-053-00	\$171.60
464-0121-042-00	\$171.60	464-0122-004-00	\$171.60	464-0122-054-00	\$171.60
464-0121-049-00	\$171.60	464-0122-005-00	\$171.60	464-0122-055-00	\$171.60
464-0121-050-00	\$171.60	464-0122-006-00	\$171.60	464-0122-056-00	\$171.60
464-0121-051-00	\$171.60	464-0122-007-00	\$171.60	464-0122-057-00	\$171.60
464-0121-052-00	\$171.60	464-0122-008-00	\$171.60	464-0122-058-00	\$171.60
464-0121-053-00	\$171.60	464-0122-009-00	\$171.60	464-0122-059-00	\$171.60
464-0121-054-00	\$171.60	464-0122-010-00	\$171.60	464-0122-060-00	\$171.60
464-0121-055-00	\$171.60	464-0122-011-00	\$171.60	464-0122-061-00	\$171.60
464-0121-056-00	\$171.60	464-0122-012-00	\$171.60	464-0122-062-00	\$171.60

City of Hayward
Maintenance District No. 1

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

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 17, 2014

TO: Mayor and City Council

FROM: Director of Development Services

SUBJECT: Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2015 for Maintenance District No.2 – Eden Shores Storm Water Facilities and Water Buffer, and Set July 15, 2014, as the Public Hearing for Such Actions

RECOMMENDATION

That the City Council adopts the attached resolution (Attachment I).

BACKGROUND

The annual Engineer's Report (Report) for Maintenance District No. 2 is presented to the City Council in compliance with Section 10-10.25 of the Hayward Municipal Code. The Report is attached (Attachment II) and includes the recommended amount of assessment to be levied against each property for Fiscal Year 2015.

Maintenance District No. 2 (the District) was formed in June 2003 to fund the operation and maintenance by City-hired contractors of storm water facilities, the water buffer zone bordering the residential portion of Eden Shores, masonry walls, and landscaping within the development area. The District includes three residential tracts in Eden Shores, totaling 534 homes. The funds collected from the property owners within the District pay for annual operations and maintenance and to establish capital reserve funds, which would be utilized to repair or replace sections of fencing, masonry walls, pumps, or structures in the future. The District assumed full maintenance responsibility at the beginning of Fiscal Year 2009.

DISCUSSION

The estimated budget for Fiscal Year 2015 is approximately \$111,589, which includes \$10,300 for pump replacement and any major repairs beyond normal operation activities. Based on these estimated operating costs, the collection rate needed to cover the Fiscal Year 2015 operating expenses would be approximately \$211.64 per parcel. However, the collection rate is proposed to only be increased 10%, from \$143.00 to \$157.30 per parcel because there remain sufficient funds in the reserves. In future fiscal years, staff anticipates that the rates will continue to be increased a

minimum of 10% per year until annual revenues equal expenditures. The proposed Fiscal Year 2015 assessment is below the maximum base assessment of \$835.22.

Proposition 218 Compliance - The increase in the maximum base assessment rate that can be levied in Fiscal Year 2015 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 2015 assessment of \$157.30 is below the maximum base assessment of \$835.22. If, in future years, there is a need for additional funds, the annual assessment amount may be increased up to the maximum base assessment amount. Future increases in the annual assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners pursuant to the requirements of Proposition 218.

FISCAL IMPACT

There is no fiscal impact to the City General Fund for this recommendation, because the present expenditures are to be paid for by District funds. Staff has evaluated the capital reserve fund balance and asserts that it would be adequate for Fiscal Year 2015. If necessary, the annual assessment amount in Fiscal Year 2016 could be increased to bring the capital reserve fund balance to a higher level, if necessary.

PUBLIC CONTACT

A public meeting was held on May 8, 2014 for the property owners within the District. At that meeting, staff was available to explain the District's responsibilities and funding, and property owners were given the opportunity to ask questions regarding assessments and services. There were two property owners in attendance from Maintenance District No. 2. They stated that there has been graffiti on the masonry wall along the perimeter of the development adjacent to the railroad tracks. Staff took note of this and will coordinate future graffiti removal if it occurs again.

Property owners can also raise concerns about their assessments during the July 15, 2014 Council hearing. Before the City Council public hearing on July 15, 2014, notices of the hearing will be published once in *The Daily Review* newspaper and sent to all affected property owners.

NEXT STEPS

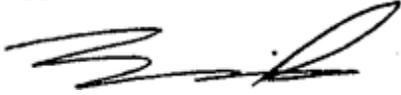
Once the City Council adopts the attached resolution of intention, the following next steps will occur:

1. On July 15, 2014, Council will hold a public hearing to consider approving the Engineer's Report and ordering the levy of assessments for Fiscal Year 2015.

Prepared by: Shahram Aghamir, P.E., Development Review Engineer

Recommended by: David Rizk, AICP, Development Services Director

Approved by:



Fran David, City Manager

Attachments:

Attachment I Resolution

Attachment II Preliminary Engineer's Report

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-_____

Introduced by Council Member _____

RESOLUTION OF INTENTION PRELIMINARILY APPROVING
ENGINEER'S REPORT, DECLARING INTENTION TO LEVY
ASSESSMENTS FOR FISCAL YEAR 2015, AND SETTING JULY 15, 2014,
AS THE PUBLIC HEARING DATE CONCERNING MAINTENANCE
DISTRICT NO. 2 - EDEN SHORES STORM WATER FACILITIES AND
WATER BUFFER

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

1. Maintenance District No. 2 - Eden Shores Storm Water Facilities and Water Buffer (the "maintenance district") was established by the adoption of Resolution No. 03-102 to provide funds to operate, maintain, and service a storm water facilities and the water buffer bordering the residential portion of Eden Shores, which encompasses the three residential tracts 7316, 7360 and 7361, in Eden Shores development, totaling 534 homes. The maintenance district consists of the properties as shown on the Assessment Roll on file in the Office of the Hayward City Clerk.
2. The Engineer of Work has prepared a report in accordance with Section 10-10.25 of the Hayward Municipal Code. Said report has been made, filed, and duly considered by this City Council and is hereby deemed sufficient and preliminarily approved. Said report shall stand as the report for all subsequent proceedings related to the proposed levy of district assessments for Fiscal Year 2015.
3. It is the intention of the City Council to order the levy and collection of assessments for the maintenance of the storm water facilities and water buffer pursuant to Part 3, Chapter 26 of Division 7 of the California Streets and Highways Code (commencing with Section 5820 thereof).
4. The proposed assessment for Fiscal Year 2015 is \$157.30, an increase of \$14.30 over the previous fiscal year's assessment, but less than the maximum base assessment amount of \$835.22.
5. Reference is hereby made to the aforementioned report on file with the City Clerk for a full and detailed description of the improvements, the boundaries of the proposed maintenance district, and the proposed assessments upon assessable lots within said district.

PRELIMINARY ENGINEER'S REPORT

CITY OF HAYWARD
MAINTENANCE DISTRICT No. 2
(Eden Shores)

Fiscal Year 2015



June 17, 2014

	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 2015 Assessment Roll	

CITY COUNCIL MEMBERS AND CITY STAFF

Michael Sweeney
Mayor

Barbara Halliday
Council Member

Greg Jones
Council Member

Al Mendall
Council Member

Marvin Peixoto
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

Shahram Aghamir, P.E.
Engineer of Work

ENGINEER'S REPORT

CITY OF HAYWARD
MAINTENANCE DISTRICT NO. 2
FISCAL YEAR 2014

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: _____
Shahram Aghamir, P.E.
RCE No. 48095

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 _____, 2014.

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 _____, 2014.

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 _____, 2014.

By: _____
Shahram Aghamir, P.E.
RCE No. 48095

SECTION I
INTRODUCTION
ENGINEER'S REPORT

CITY OF HAYWARD
MAINTENANCE DISTRICT NO. 2

FISCAL YEAR 2014

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 XIIC and XIID 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. For 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 downturn economic conditions and the fact that there were sufficient reserves available to supplement the annual operation and maintenance costs for those fiscal years. For FY 2012 through FY 2013, the collection rate increased to \$130.00 per parcel to cover increased maintenance and utility costs. For FY 2014, the collection rate increased to \$143.00 per parcel to cover increased maintenance and utility costs. For Fiscal Year 2015, the estimated operating costs are \$111,589, which includes \$10,300.00 budgeted for pump replacement and any major repairs beyond normal operation activities. Based on these estimated operating costs, the collection rate needed to cover the FY 2015 operating expenses would be approximately \$211.64 per parcel. However, the collection rate is proposed to only be increased 10%, from \$143.00 to \$157.30 per parcel because there are sufficient funds in the reserves. In future fiscal years it is anticipated that the rates will continue to be increased a minimum of 10% per year until annual revenues equal expenditures. The proposed FY 2015 assessment is below the maximum base assessment of \$835.22 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Current Annual Administration

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

The City of Hayward will hold a public hearing on July 15, 2014, 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 2015 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 2015

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. 14-____, Preliminarily Approving the Engineer's Report, on June 17, 2014, 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, Shahram Aghamir, 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 2015

The following improvements are proposed to be operated, maintained and serviced in Maintenance District No. 2 for Fiscal Year 2015:

- *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. For 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 downturn economic conditions and the fact that there were sufficient reserves available to supplement the annual operation and maintenance costs for those fiscal years. For FY 2012 through FY 2013, the collection rate increased to \$130.00 per parcel to cover increased maintenance and utility costs. For FY 2014, the collection rate increased to \$143.00 per parcel to cover increased maintenance and utility costs. For Fiscal Year 2015, the estimated operating costs are \$111,589, which includes \$10,300 budgeted for pump replacement and any major repairs beyond normal operation activities. Based on these estimated operating costs, the collection rate needed to cover the FY 2015 operating expenses would be approximately \$211.64 per parcel. However, the collection rate is proposed to only be increased 10%, from \$143.00 to \$157.30 per parcel because are sufficient funds in the reserves. In future fiscal years it is anticipated that the rates will continue to be increased a minimum of 10% per year until annual revenues equal expenditures. The proposed FY 2015 assessment is below the maximum base assessment of \$835.22. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

PART B

ESTIMATE OF COST

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

The base assessment rate was set at \$655.00 per parcel for the base year July 1, 2003 with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. On July 1, 2003, the CPI Index was set at 192.25. The most current CPI Index available at the time of this report was February 2014. The February 2014 CPI was 245.148 which translates to a 27.52% (245.148/192.25) increase since the base year. Therefore, the revised base assessment that could be levied in Fiscal Year 2015 is \$835.22 per parcel, comparing to \$818.58 in Fiscal Year 2014. 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 costs for Fiscal Year 2015 are summarized on the following page. These cost estimates have been provided by the City of Hayward.

TABLE 1: COST ESTIMATE FISCAL YEAR 2015 Fund 818 - Maintenance District No. 2 - Eden Shores	
	Fiscal Year 2015 Budget
Number of Assessable Parcels	534
Beginning Balance of Fiscal Year (July 1, 2014)	<u>\$331,139.52</u>
REVENUE	
Annual Assessment Fee (534 Assessable Parcels)	\$83,998.20
County Collection Fee (1.7%)	(\$1,427.97)
Net Revenue	\$82,570.23
Total Available	<u>\$413,709.75</u>
EXPENDITURE	
<u>I. MAINTENANCE & UTILITY</u>	
<u>I. Maintenance & Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$54,260.00
(b) Maintenance Work: Landscaping and buffer lake maintenance plus debris removal, weeding, trimming, spraying, and predator fence, steel structures, masonry wall surface maintenance	\$32,900.00
(c) Pump Replacements and/or major repairs	\$10,300.00
Subtotal I:	<u>\$97,460.00</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	\$534.00
Subtotal II:	<u>\$8,129.00</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>\$111,589.00</u>
Ending Balance of Fiscal Year (June 30, 2015)	<u>\$302,120.75</u>
Change in Reserve Fund Balance	<u>(\$29,018.77)</u>
RESERVE DETAIL	
Required Operating Reserves ⁽¹⁾	\$55,794.50
Available Capital Reserves ⁽²⁾	\$246,326.25
Subtotal:	<u>\$302,120.75</u>
Assessment Amount per Parcel	\$157.30
Maximum Base Assessment Amount per Parcel	\$835.22
NOTES:	
⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.	
⁽²⁾ Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

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 2015.

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 2015 assessment revenue is \$83,998.20. The collection rate for Fiscal Year 2015 will be \$157.30 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 2015 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 2015 is \$83,998.20.

The Assessment Roll for Fiscal Year 2015 is included on the following page of this Report and is on file in the Office of the Hayward City Clerk.

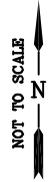
APPENDIX A
VICINITY MAP



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 2015
ASSESSMENT ROLL

City of Hayward
Maintenance District No. 2

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
461-0037-002-00	\$157.30	461-0037-053-00	\$157.30	461-0037-104-00	\$157.30
461-0037-003-00	\$157.30	461-0037-054-00	\$157.30	461-0037-105-00	\$157.30
461-0037-004-00	\$157.30	461-0037-055-00	\$157.30	461-0037-106-00	\$157.30
461-0037-005-00	\$157.30	461-0037-056-00	\$157.30	461-0037-107-00	\$157.30
461-0037-006-00	\$157.30	461-0037-057-00	\$157.30	461-0037-108-00	\$157.30
461-0037-007-00	\$157.30	461-0037-058-00	\$157.30	461-0037-109-00	\$157.30
461-0037-008-00	\$157.30	461-0037-059-00	\$157.30	461-0037-110-00	\$157.30
461-0037-009-00	\$157.30	461-0037-060-00	\$157.30	461-0100-003-00	\$157.30
461-0037-010-00	\$157.30	461-0037-061-00	\$157.30	461-0100-004-00	\$157.30
461-0037-011-00	\$157.30	461-0037-062-00	\$157.30	461-0100-005-00	\$157.30
461-0037-012-00	\$157.30	461-0037-063-00	\$157.30	461-0100-006-00	\$157.30
461-0037-013-00	\$157.30	461-0037-064-00	\$157.30	461-0100-007-00	\$157.30
461-0037-014-00	\$157.30	461-0037-065-00	\$157.30	461-0100-008-00	\$157.30
461-0037-015-00	\$157.30	461-0037-066-00	\$157.30	461-0100-009-00	\$157.30
461-0037-016-00	\$157.30	461-0037-067-00	\$157.30	461-0100-010-00	\$157.30
461-0037-017-00	\$157.30	461-0037-068-00	\$157.30	461-0100-011-00	\$157.30
461-0037-018-00	\$157.30	461-0037-069-00	\$157.30	461-0100-012-00	\$157.30
461-0037-019-00	\$157.30	461-0037-070-00	\$157.30	461-0100-013-00	\$157.30
461-0037-020-00	\$157.30	461-0037-071-00	\$157.30	461-0100-014-00	\$157.30
461-0037-021-00	\$157.30	461-0037-072-00	\$157.30	461-0100-015-00	\$157.30
461-0037-022-00	\$157.30	461-0037-073-00	\$157.30	461-0100-016-00	\$157.30
461-0037-023-00	\$157.30	461-0037-074-00	\$157.30	461-0100-017-00	\$157.30
461-0037-024-00	\$157.30	461-0037-075-00	\$157.30	461-0100-018-00	\$157.30
461-0037-025-00	\$157.30	461-0037-076-00	\$157.30	461-0100-019-00	\$157.30
461-0037-026-00	\$157.30	461-0037-077-00	\$157.30	461-0100-020-00	\$157.30
461-0037-027-00	\$157.30	461-0037-078-00	\$157.30	461-0100-021-00	\$157.30
461-0037-028-00	\$157.30	461-0037-079-00	\$157.30	461-0100-022-00	\$157.30
461-0037-029-00	\$157.30	461-0037-080-00	\$157.30	461-0100-023-00	\$157.30
461-0037-030-00	\$157.30	461-0037-081-00	\$157.30	461-0100-024-00	\$157.30
461-0037-031-00	\$157.30	461-0037-082-00	\$157.30	461-0100-025-00	\$157.30
461-0037-032-00	\$157.30	461-0037-083-00	\$157.30	461-0100-026-00	\$157.30
461-0037-033-00	\$157.30	461-0037-084-00	\$157.30	461-0100-027-00	\$157.30
461-0037-034-00	\$157.30	461-0037-085-00	\$157.30	461-0100-028-00	\$157.30
461-0037-035-00	\$157.30	461-0037-086-00	\$157.30	461-0100-029-00	\$157.30
461-0037-036-00	\$157.30	461-0037-087-00	\$157.30	461-0100-030-00	\$157.30
461-0037-037-00	\$157.30	461-0037-088-00	\$157.30	461-0100-031-00	\$157.30
461-0037-038-00	\$157.30	461-0037-089-00	\$157.30	461-0100-032-00	\$157.30
461-0037-039-00	\$157.30	461-0037-090-00	\$157.30	461-0100-033-00	\$157.30
461-0037-040-00	\$157.30	461-0037-091-00	\$157.30	461-0100-034-00	\$157.30
461-0037-041-00	\$157.30	461-0037-092-00	\$157.30	461-0100-035-00	\$157.30
461-0037-042-00	\$157.30	461-0037-093-00	\$157.30	461-0100-036-00	\$157.30
461-0037-043-00	\$157.30	461-0037-094-00	\$157.30	461-0100-037-00	\$157.30
461-0037-044-00	\$157.30	461-0037-095-00	\$157.30	461-0100-038-00	\$157.30
461-0037-045-00	\$157.30	461-0037-096-00	\$157.30	461-0100-039-00	\$157.30
461-0037-046-00	\$157.30	461-0037-097-00	\$157.30	461-0100-040-00	\$157.30
461-0037-047-00	\$157.30	461-0037-098-00	\$157.30	461-0100-041-00	\$157.30
461-0037-048-00	\$157.30	461-0037-099-00	\$157.30	461-0100-042-00	\$157.30
461-0037-049-00	\$157.30	461-0037-100-00	\$157.30	461-0100-043-00	\$157.30
461-0037-050-00	\$157.30	461-0037-101-00	\$157.30	461-0100-044-00	\$157.30
461-0037-051-00	\$157.30	461-0037-102-00	\$157.30	461-0100-045-00	\$157.30

City of Hayward
Maintenance District No. 2

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
461-0100-047-00	\$157.30	461-0100-098-00	\$157.30	461-0101-035-00	\$157.30
461-0100-048-00	\$157.30	461-0100-099-00	\$157.30	461-0101-036-00	\$157.30
461-0100-049-00	\$157.30	461-0100-100-00	\$157.30	461-0101-037-00	\$157.30
461-0100-050-00	\$157.30	461-0100-101-00	\$157.30	461-0101-038-00	\$157.30
461-0100-051-00	\$157.30	461-0100-102-00	\$157.30	461-0101-039-00	\$157.30
461-0100-052-00	\$157.30	461-0100-103-00	\$157.30	461-0101-040-00	\$157.30
461-0100-053-00	\$157.30	461-0100-104-00	\$157.30	461-0101-041-00	\$157.30
461-0100-054-00	\$157.30	461-0100-105-00	\$157.30	461-0101-042-00	\$157.30
461-0100-055-00	\$157.30	461-0100-106-00	\$157.30	461-0101-043-00	\$157.30
461-0100-056-00	\$157.30	461-0100-107-00	\$157.30	461-0101-044-00	\$157.30
461-0100-057-00	\$157.30	461-0100-108-00	\$157.30	461-0101-045-00	\$157.30
461-0100-058-00	\$157.30	461-0100-109-00	\$157.30	461-0101-046-00	\$157.30
461-0100-059-00	\$157.30	461-0100-110-00	\$157.30	461-0101-047-00	\$157.30
461-0100-060-00	\$157.30	461-0100-111-00	\$157.30	461-0101-048-00	\$157.30
461-0100-061-00	\$157.30	461-0100-112-00	\$157.30	461-0101-049-00	\$157.30
461-0100-062-00	\$157.30	461-0100-113-00	\$157.30	461-0101-050-00	\$157.30
461-0100-063-00	\$157.30	461-0100-114-00	\$157.30	461-0101-051-00	\$157.30
461-0100-064-00	\$157.30	461-0100-115-00	\$157.30	461-0101-052-00	\$157.30
461-0100-065-00	\$157.30	461-0100-116-00	\$157.30	461-0101-053-00	\$157.30
461-0100-066-00	\$157.30	461-0100-117-00	\$157.30	461-0101-054-00	\$157.30
461-0100-067-00	\$157.30	461-0100-118-00	\$157.30	461-0101-055-00	\$157.30
461-0100-068-00	\$157.30	461-0101-005-00	\$157.30	461-0101-056-00	\$157.30
461-0100-069-00	\$157.30	461-0101-006-00	\$157.30	461-0101-057-00	\$157.30
461-0100-070-00	\$157.30	461-0101-007-00	\$157.30	461-0101-058-00	\$157.30
461-0100-071-00	\$157.30	461-0101-008-00	\$157.30	461-0101-059-00	\$157.30
461-0100-072-00	\$157.30	461-0101-009-00	\$157.30	461-0101-060-00	\$157.30
461-0100-073-00	\$157.30	461-0101-010-00	\$157.30	461-0101-061-00	\$157.30
461-0100-074-00	\$157.30	461-0101-011-00	\$157.30	461-0101-062-00	\$157.30
461-0100-075-00	\$157.30	461-0101-012-00	\$157.30	461-0101-063-00	\$157.30
461-0100-076-00	\$157.30	461-0101-013-00	\$157.30	461-0101-064-00	\$157.30
461-0100-077-00	\$157.30	461-0101-014-00	\$157.30	461-0101-065-00	\$157.30
461-0100-078-00	\$157.30	461-0101-015-00	\$157.30	461-0101-066-00	\$157.30
461-0100-079-00	\$157.30	461-0101-016-00	\$157.30	461-0101-067-00	\$157.30
461-0100-080-00	\$157.30	461-0101-017-00	\$157.30	461-0101-068-00	\$157.30
461-0100-081-00	\$157.30	461-0101-018-00	\$157.30	461-0101-069-00	\$157.30
461-0100-082-00	\$157.30	461-0101-019-00	\$157.30	461-0101-070-00	\$157.30
461-0100-083-00	\$157.30	461-0101-020-00	\$157.30	461-0101-071-00	\$157.30
461-0100-084-00	\$157.30	461-0101-021-00	\$157.30	461-0101-072-00	\$157.30
461-0100-085-00	\$157.30	461-0101-022-00	\$157.30	461-0101-073-00	\$157.30
461-0100-086-00	\$157.30	461-0101-023-00	\$157.30	461-0101-074-00	\$157.30
461-0100-087-00	\$157.30	461-0101-024-00	\$157.30	461-0101-075-00	\$157.30
461-0100-088-00	\$157.30	461-0101-025-00	\$157.30	461-0101-076-00	\$157.30
461-0100-089-00	\$157.30	461-0101-026-00	\$157.30	461-0101-077-00	\$157.30
461-0100-090-00	\$157.30	461-0101-027-00	\$157.30	461-0101-078-00	\$157.30
461-0100-091-00	\$157.30	461-0101-028-00	\$157.30	461-0101-079-00	\$157.30
461-0100-092-00	\$157.30	461-0101-029-00	\$157.30	461-0101-080-00	\$157.30
461-0100-093-00	\$157.30	461-0101-030-00	\$157.30	461-0101-081-00	\$157.30
461-0100-094-00	\$157.30	461-0101-031-00	\$157.30	461-0101-082-00	\$157.30
461-0100-095-00	\$157.30	461-0101-032-00	\$157.30	461-0101-083-00	\$157.30
461-0100-096-00	\$157.30	461-0101-033-00	\$157.30	461-0101-084-00	\$157.30

City of Hayward
Maintenance District No. 2

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
461-0101-086-00	\$157.30	461-0101-137-00	\$157.30	461-0102-018-00	\$157.30
461-0101-087-00	\$157.30	461-0101-138-00	\$157.30	461-0102-019-00	\$157.30
461-0101-088-00	\$157.30	461-0101-139-00	\$157.30	461-0102-020-00	\$157.30
461-0101-089-00	\$157.30	461-0101-140-00	\$157.30	461-0102-021-00	\$157.30
461-0101-090-00	\$157.30	461-0101-141-00	\$157.30	461-0102-022-00	\$157.30
461-0101-091-00	\$157.30	461-0101-142-00	\$157.30	461-0102-023-00	\$157.30
461-0101-092-00	\$157.30	461-0101-143-00	\$157.30	461-0102-024-00	\$157.30
461-0101-093-00	\$157.30	461-0101-144-00	\$157.30	461-0102-025-00	\$157.30
461-0101-094-00	\$157.30	461-0101-145-00	\$157.30	461-0102-026-00	\$157.30
461-0101-095-00	\$157.30	461-0101-146-00	\$157.30	461-0102-027-00	\$157.30
461-0101-096-00	\$157.30	461-0101-147-00	\$157.30	461-0102-028-00	\$157.30
461-0101-097-00	\$157.30	461-0101-148-00	\$157.30	461-0102-029-00	\$157.30
461-0101-098-00	\$157.30	461-0101-149-00	\$157.30	461-0102-030-00	\$157.30
461-0101-099-00	\$157.30	461-0101-150-00	\$157.30	461-0102-031-00	\$157.30
461-0101-100-00	\$157.30	461-0101-151-00	\$157.30	461-0102-032-00	\$157.30
461-0101-101-00	\$157.30	461-0101-152-00	\$157.30	461-0102-033-00	\$157.30
461-0101-102-00	\$157.30	461-0101-153-00	\$157.30	461-0102-034-00	\$157.30
461-0101-103-00	\$157.30	461-0101-154-00	\$157.30	461-0102-035-00	\$157.30
461-0101-104-00	\$157.30	461-0101-155-00	\$157.30	461-0102-036-00	\$157.30
461-0101-105-00	\$157.30	461-0101-156-00	\$157.30	461-0102-037-00	\$157.30
461-0101-106-00	\$157.30	461-0101-157-00	\$157.30	461-0102-038-00	\$157.30
461-0101-107-00	\$157.30	461-0101-158-00	\$157.30	461-0102-039-00	\$157.30
461-0101-108-00	\$157.30	461-0101-159-00	\$157.30	461-0102-040-00	\$157.30
461-0101-109-00	\$157.30	461-0101-160-00	\$157.30	461-0102-041-00	\$157.30
461-0101-110-00	\$157.30	461-0101-161-00	\$157.30	461-0102-042-00	\$157.30
461-0101-111-00	\$157.30	461-0101-162-00	\$157.30	461-0102-043-00	\$157.30
461-0101-112-00	\$157.30	461-0101-163-00	\$157.30	461-0102-044-00	\$157.30
461-0101-113-00	\$157.30	461-0101-164-00	\$157.30	461-0102-045-00	\$157.30
461-0101-114-00	\$157.30	461-0101-165-00	\$157.30	461-0102-046-00	\$157.30
461-0101-115-00	\$157.30	461-0101-166-00	\$157.30	461-0102-047-00	\$157.30
461-0101-116-00	\$157.30	461-0101-167-00	\$157.30	461-0102-048-00	\$157.30
461-0101-117-00	\$157.30	461-0101-168-00	\$157.30	461-0102-049-00	\$157.30
461-0101-118-00	\$157.30	461-0101-169-00	\$157.30	461-0102-050-00	\$157.30
461-0101-119-00	\$157.30	461-0101-170-00	\$157.30	461-0102-051-00	\$157.30
461-0101-120-00	\$157.30	461-0101-171-00	\$157.30	461-0102-052-00	\$157.30
461-0101-121-00	\$157.30	461-0102-002-00	\$157.30	461-0102-053-00	\$157.30
461-0101-122-00	\$157.30	461-0102-003-00	\$157.30	461-0102-054-00	\$157.30
461-0101-123-00	\$157.30	461-0102-004-00	\$157.30	461-0102-055-00	\$157.30
461-0101-124-00	\$157.30	461-0102-005-00	\$157.30	461-0102-056-00	\$157.30
461-0101-125-00	\$157.30	461-0102-006-00	\$157.30	461-0102-057-00	\$157.30
461-0101-126-00	\$157.30	461-0102-007-00	\$157.30	461-0102-058-00	\$157.30
461-0101-127-00	\$157.30	461-0102-008-00	\$157.30	461-0102-059-00	\$157.30
461-0101-128-00	\$157.30	461-0102-009-00	\$157.30	461-0102-060-00	\$157.30
461-0101-129-00	\$157.30	461-0102-010-00	\$157.30	461-0102-061-00	\$157.30
461-0101-130-00	\$157.30	461-0102-011-00	\$157.30	461-0102-062-00	\$157.30
461-0101-131-00	\$157.30	461-0102-012-00	\$157.30	461-0102-063-00	\$157.30
461-0101-132-00	\$157.30	461-0102-013-00	\$157.30	461-0102-064-00	\$157.30
461-0101-133-00	\$157.30	461-0102-014-00	\$157.30	461-0102-065-00	\$157.30
461-0101-134-00	\$157.30	461-0102-015-00	\$157.30	461-0103-004-00	\$157.30
461-0101-135-00	\$157.30	461-0102-016-00	\$157.30	461-0103-005-00	\$157.30

City of Hayward
Maintenance District No. 2

PRELIMINARY ASSESSMENT ROLL
FISCAL YEAR 2015

Assessor's Parcel Number	Assessment Amount
461-0103-007-00	\$157.30
461-0103-008-00	\$157.30
461-0103-009-00	\$157.30
461-0103-010-00	\$157.30
461-0103-011-00	\$157.30
461-0103-012-00	\$157.30
461-0103-013-00	\$157.30
461-0103-014-00	\$157.30
461-0103-015-00	\$157.30
461-0103-016-00	\$157.30
461-0103-017-00	\$157.30
461-0103-018-00	\$157.30
461-0103-019-00	\$157.30
461-0103-020-00	\$157.30
461-0103-021-00	\$157.30
461-0103-022-00	\$157.30
461-0103-023-00	\$157.30
461-0103-024-00	\$157.30
461-0103-025-00	\$157.30
461-0103-026-00	\$157.30
461-0103-027-00	\$157.30
461-0103-028-00	\$157.30
461-0103-029-00	\$157.30
461-0103-030-00	\$157.30
461-0103-031-00	\$157.30
461-0103-032-00	\$157.30
461-0103-033-00	\$157.30
461-0103-034-00	\$157.30
461-0103-035-00	\$157.30
461-0103-036-00	\$157.30
461-0103-037-00	\$157.30
461-0103-038-00	\$157.30
461-0103-039-00	\$157.30
461-0103-040-00	\$157.30
461-0103-041-00	\$157.30
461-0103-042-00	\$157.30
461-0103-043-00	\$157.30
461-0103-044-00	\$157.30
461-0103-045-00	\$157.30
461-0103-046-00	\$157.30
461-0103-047-00	\$157.30
461-0103-048-00	\$157.30
461-0103-049-00	\$157.30
461-0103-050-00	\$157.30
461-0103-051-00	\$157.30
461-0103-052-00	\$157.30
461-0103-053-00	\$157.30
461-0103-054-00	\$157.30
461-0103-055-00	\$157.30
461-0103-056-00	\$157.30

Assessor's Parcel Number	Assessment Amount
461-0103-058-00	\$157.30
461-0103-059-00	\$157.30
461-0103-060-00	\$157.30
461-0103-061-00	\$157.30
461-0103-062-00	\$157.30
461-0103-063-00	\$157.30
461-0103-064-00	\$157.30
461-0103-065-00	\$157.30
461-0103-066-00	\$157.30
461-0103-067-00	\$157.30
461-0103-068-00	\$157.30
461-0103-069-00	\$157.30
461-0103-070-00	\$157.30
461-0103-071-00	\$157.30
461-0103-072-00	\$157.30
461-0103-073-00	\$157.30
461-0103-074-00	\$157.30
461-0103-075-00	\$157.30
461-0103-076-00	\$157.30
461-0103-077-00	\$157.30
461-0103-078-00	\$157.30
461-0103-079-00	\$157.30
461-0103-080-00	\$157.30
461-0103-081-00	\$157.30
<hr/>	
Total Parcels:	534
<hr/>	
Total Assessment:	\$83,998.20

DATE: June 17, 2014
TO: Mayor and City Council
FROM: Director of Public Works – Engineering & Transportation
SUBJECT: Pavement Rehabilitation Gas Tax FY15: Award of Contract

RECOMMENDATION

That Council adopts the attached resolution:

- 1) Increasing the Administrative Change Order amount from \$40,000 to \$102,000; and
- 2) Awarding the contract to Graham Contractors, Inc., in the amount of \$818,611.94.

BACKGROUND

On April 22, 2014, Council approved the plans and specifications for the Pavement Rehabilitation Gas Tax FY15 project and called for bids to be received on May 20, 2014.

This is a continuation of the City’s ongoing program to provide preventive maintenance for street pavement and to repair failed pavement sections. The work consists of localized pavement section repairs and the application of slurry seal. Slurry seal is applied on streets every six to seven years after pavement overlay or reconstruction to extend the life of the pavement before it deteriorates to the point where more costly rehabilitation work is needed.

DISCUSSION

The slurry seal treatment involves the application of a slurry sand emulsion that seals the street surface against water intrusion. Slurry seal is typically used on streets in reasonably good condition and where such treatment will prolong the life of the street. Areas of pavement that have failed will require removal to depths of four to six inches of pavement material and replacement with a new section of hot mix asphalt concrete.

On May 20, 2014, seven bids were received for the Pavement Rehabilitation Gas Tax FY15 project. Graham Contractors, Inc., of San Jose, California, submitted the low bid of \$756,611.94, which is 8% below the Engineer’s Estimate of \$819,095. VSS International, Inc., of West Sacramento, California, submitted the second low bid in the amount of \$791,387, which is 3% below the Engineer’s Estimate. The bids range from \$756,611.94 to \$957,957.

The low bid received provides an opportunity to treat additional streets that otherwise would not be included due to limited funds. Staff proposes adding the following three street sections to the slurry seal program: Harder Road, West A Street, and Golf Course Road (Attachment II). Therefore, staff

recommends increasing the Administrative Change Order from \$40,000 to \$102,000 to cover the additional work. With the additional work, this total project will cover 18.4 lane-miles of streets. Currently, the City is responsible for the maintenance of 657 lane-miles of roadway.

All bid documents and licenses are in order. Staff recommends award of contract to the low bidder Graham Contractors, Inc., in the amount of \$818,611.94 (including the additional work).

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 & ECONOMIC IMPACT

The estimated project costs are as follows:

Construction Contract	\$818,612
Design and Administration	32,388
Construction Engineering, Inspection and Testing	69,000
Striping By City Crew	80,000
Total	\$1,000,000

The Recommended FY 2015 Capital Improvement Program includes \$1,000,000 for the Pavement Rehabilitation Gas Tax FY15 project in the Gas Tax Fund.

PUBLIC CONTACT

Because of the temporary inconvenience that is expected to be caused by the slurry seal work, a preliminary notice explaining the project will be posted and distributed to all residents and businesses along the affected streets after the construction contract is awarded. When the construction work has been scheduled, a detailed notice indicating the date and time of work for each street will be distributed to all affected residents and businesses. The notice will explain the necessity for allowing the slurry seal coats to dry (for approximately four hours) before the street can be reopened to traffic. Residents and businesses will be advised to park their vehicles on side streets outside of the project area while work is being done on their street.

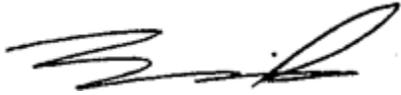
SCHEDULE

Begin Work	July 14, 2014
Complete Work	September 9, 2014

Prepared by: Yaw Owusu, Assistant City Engineer

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

Approved by:



Fran David, City Manager

Attachments:

Attachment I:	Resolution
Attachment II:	LocationMap
Attachment III:	Bid Summary

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-_____

Introduced by Council Member _____

RESOLUTION INCREASING THE ADMINISTRATIVE CHANGE ORDER AMOUNT FOR THE PAVEMENT REHABILITATION GAS TAX FY15 PROJECT, PROJECT NO. 05191, AND AWARDING CONTRACT TO GRAHAM CONTRACTORS, INC.

WHEREAS, by resolution on April 22, 2014, the City Council approved the plans and specifications for the Pavement Rehabilitation Gas Tax FY15 project, Project No. 05191, and called for bids to be received on May 20, 2014; and

WHEREAS, on May 20, 2014, seven bids were received ranging from \$756,611.94 to \$957,957.00; Graham Contractors, Inc., of San Jose, California submitted the low bid in the amount of \$756,611.94, which is 8% below the Engineer’s Estimate of \$819,095; and

WHEREAS, the low bid provides an opportunity to repair more streets; therefore, staff recommends increasing the Administrative Change Order amount by \$62,000, from \$40,000 to \$102,000, to allow for the repair of additional streets.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Administrative Change Order amount is increased by \$62,000, from \$40,000 to \$102,000.

BE IT FURTHER RESOLVED that Graham Contractors, Inc., is hereby awarded the contract for the Pavement Rehabilitation Gas Tax FY15 project, Project No. 05191, in an amount not to exceed \$818,611.94, in accordance with the aforementioned plans and specifications 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 Graham Contractors Inc., 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 _____, 2014

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

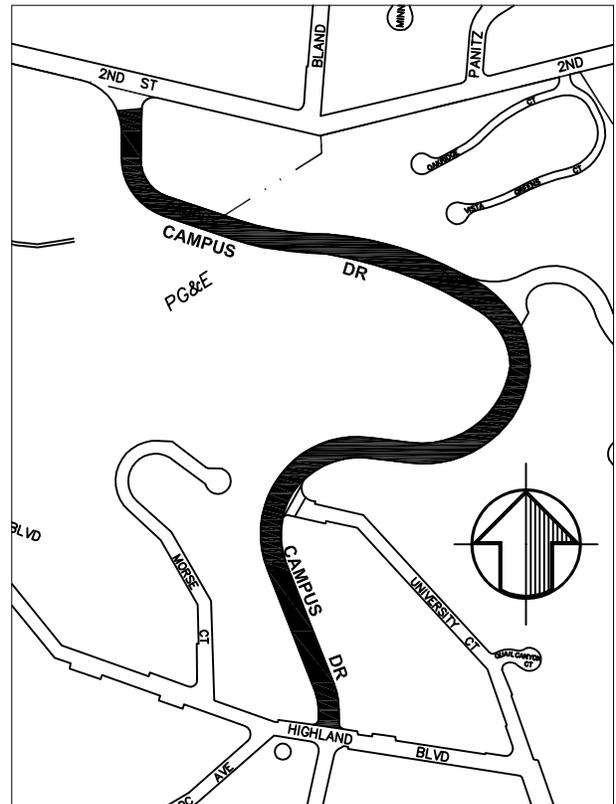
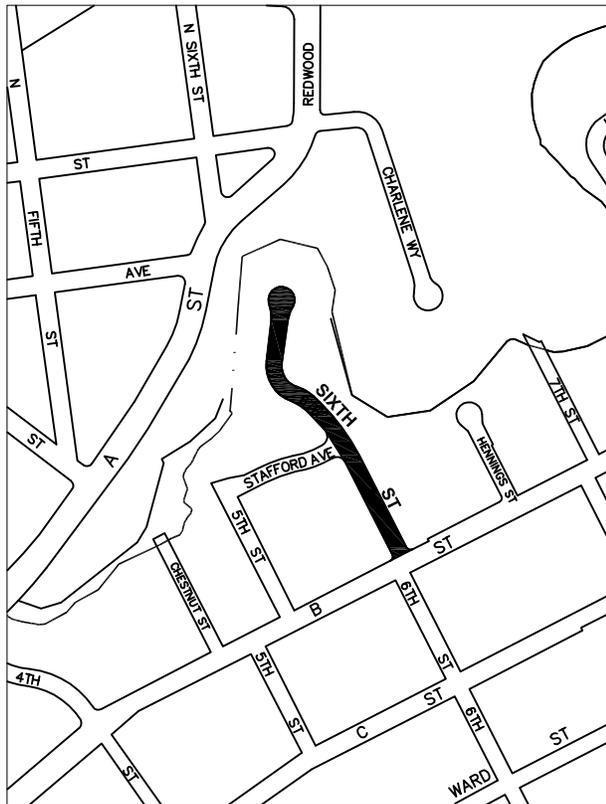
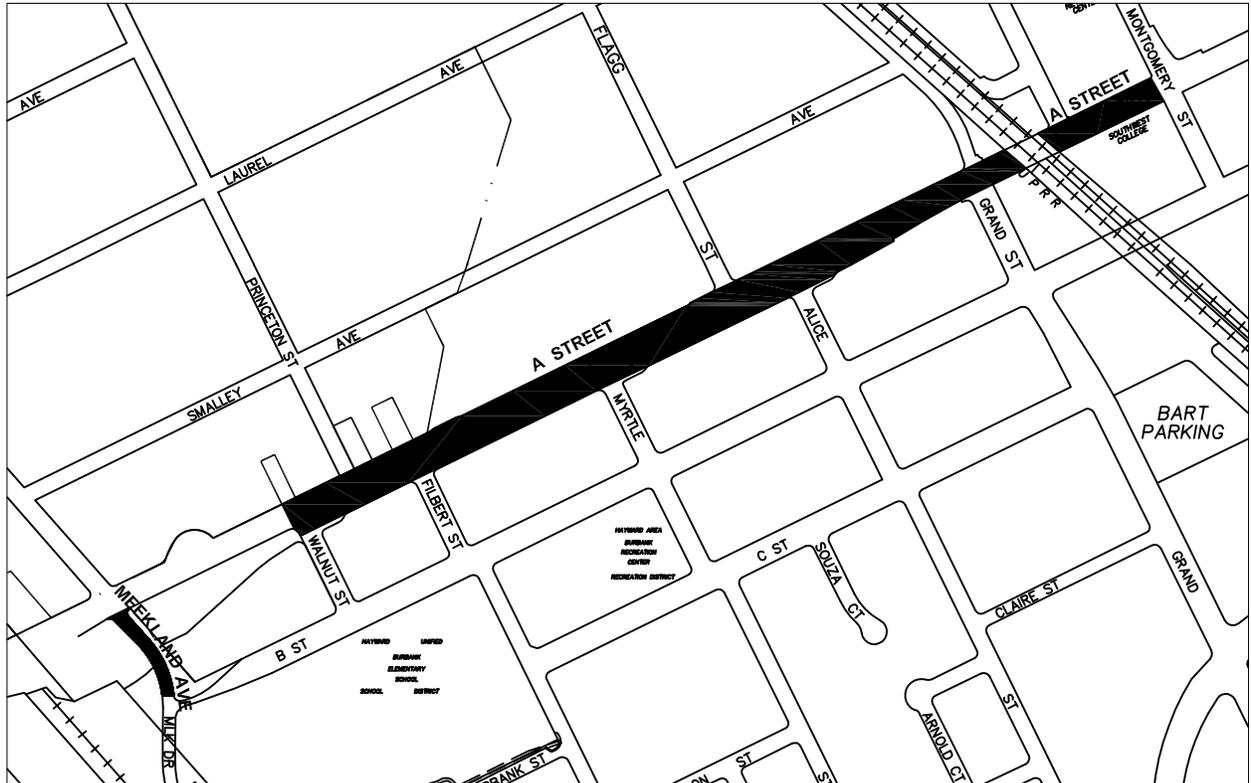
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

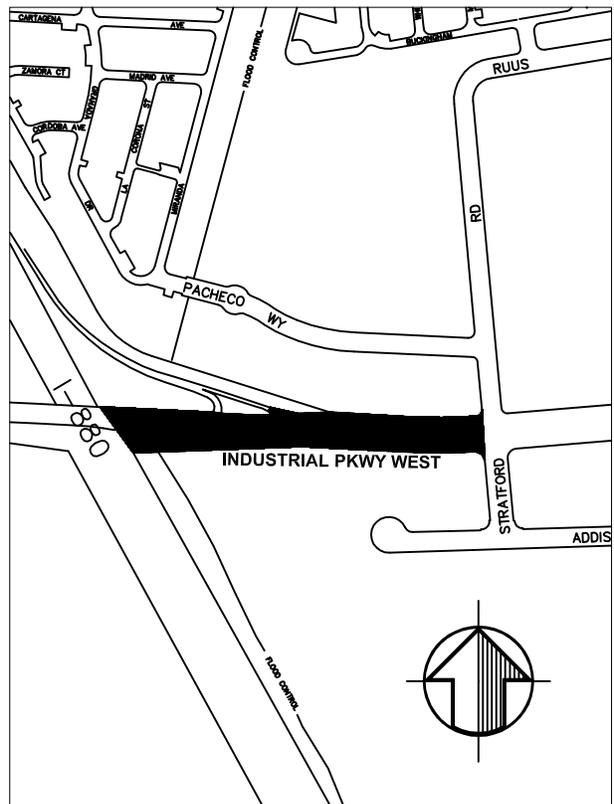
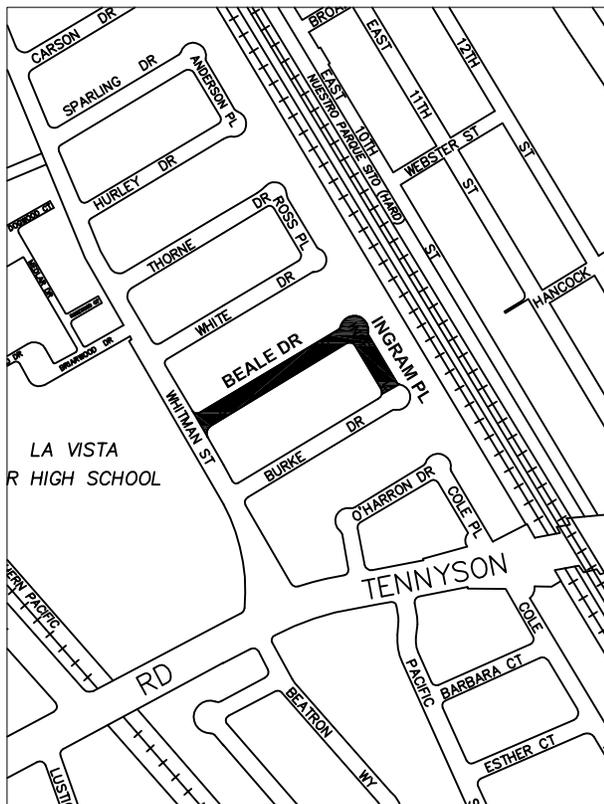
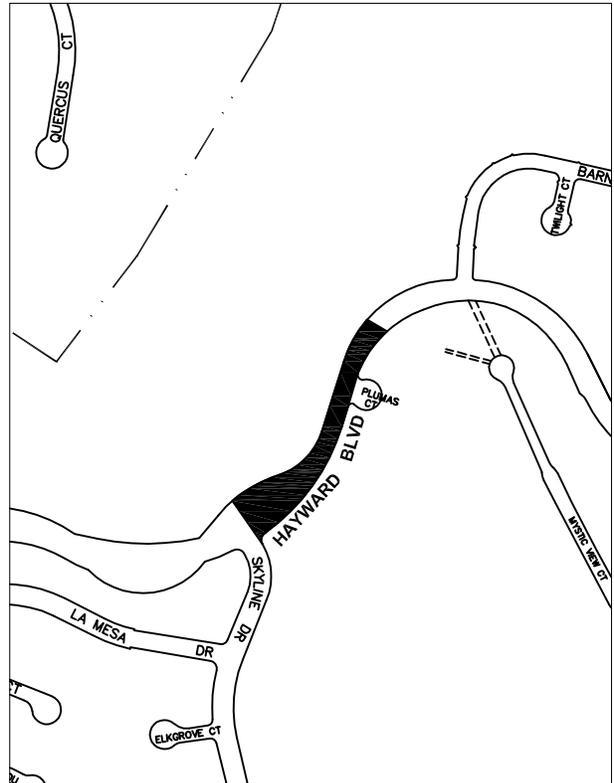
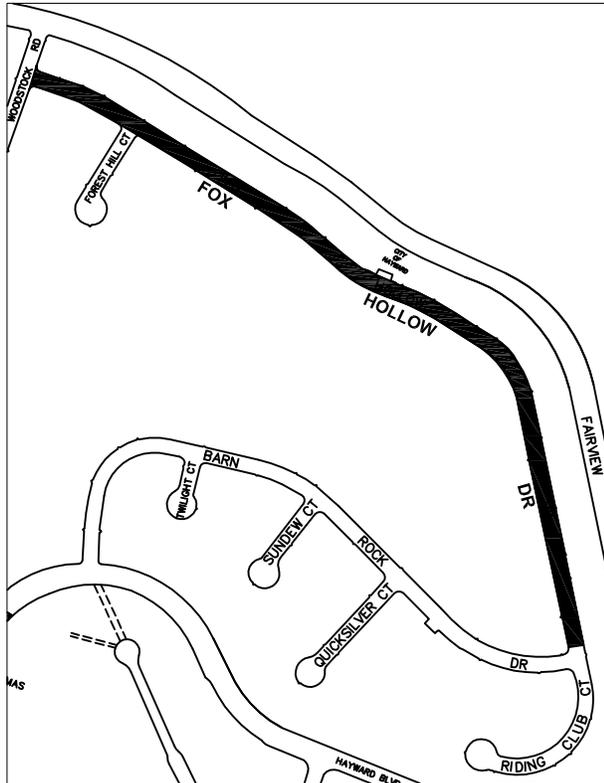
ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

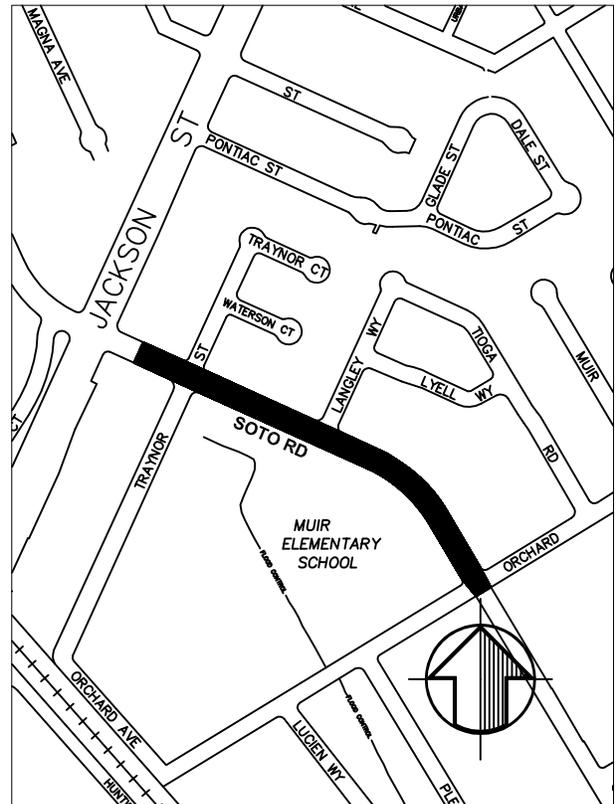
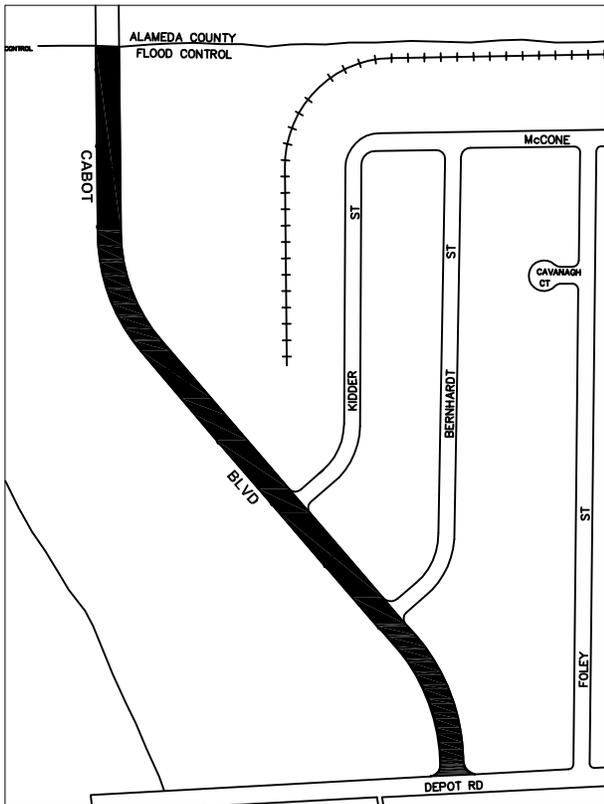
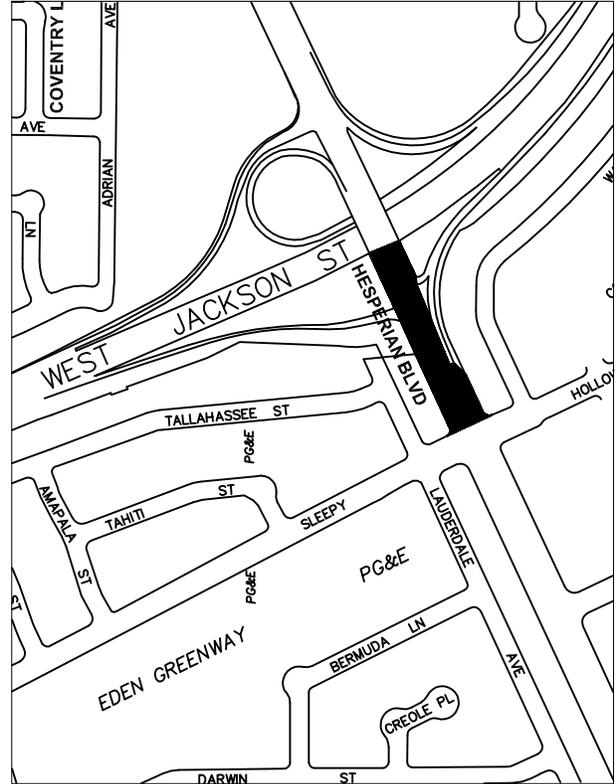
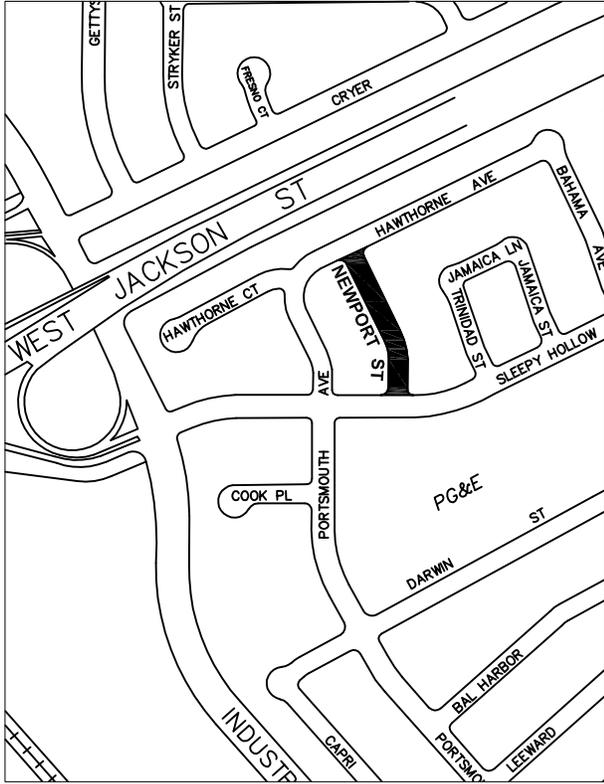
City Attorney of the City of Hayward



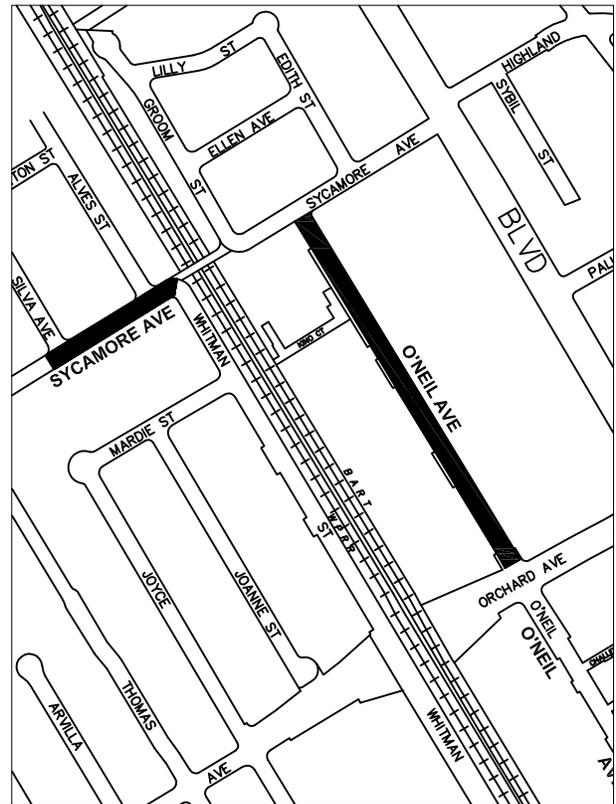
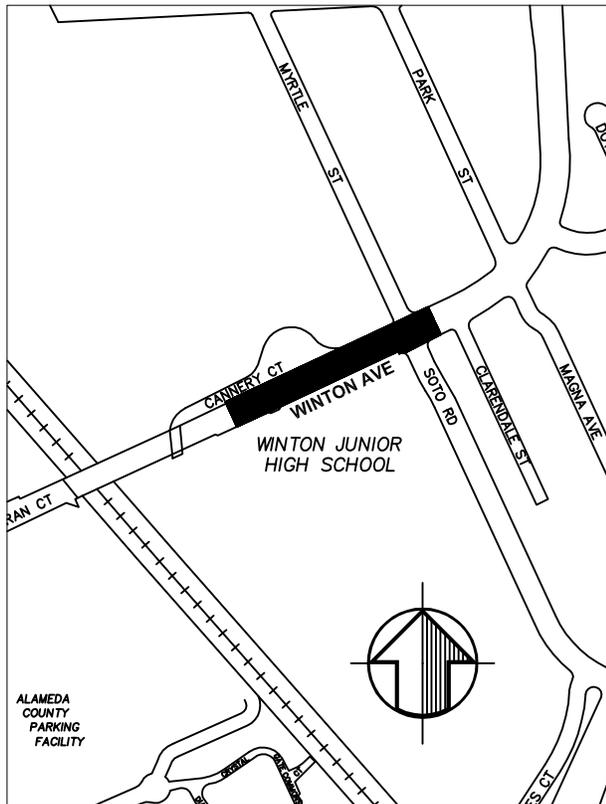
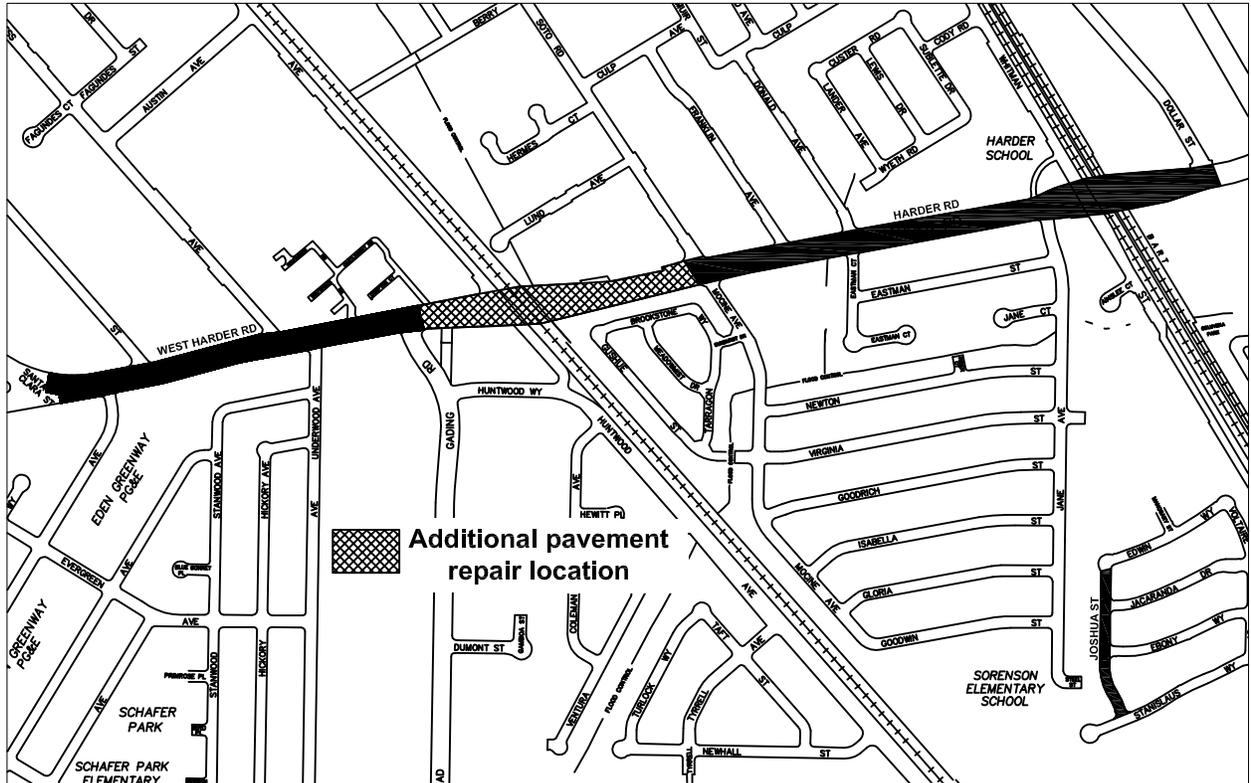
**LOCATION MAP
PAVEMENT REHABILITATION GAS TAX FY15
PROJECT NO. 05191**



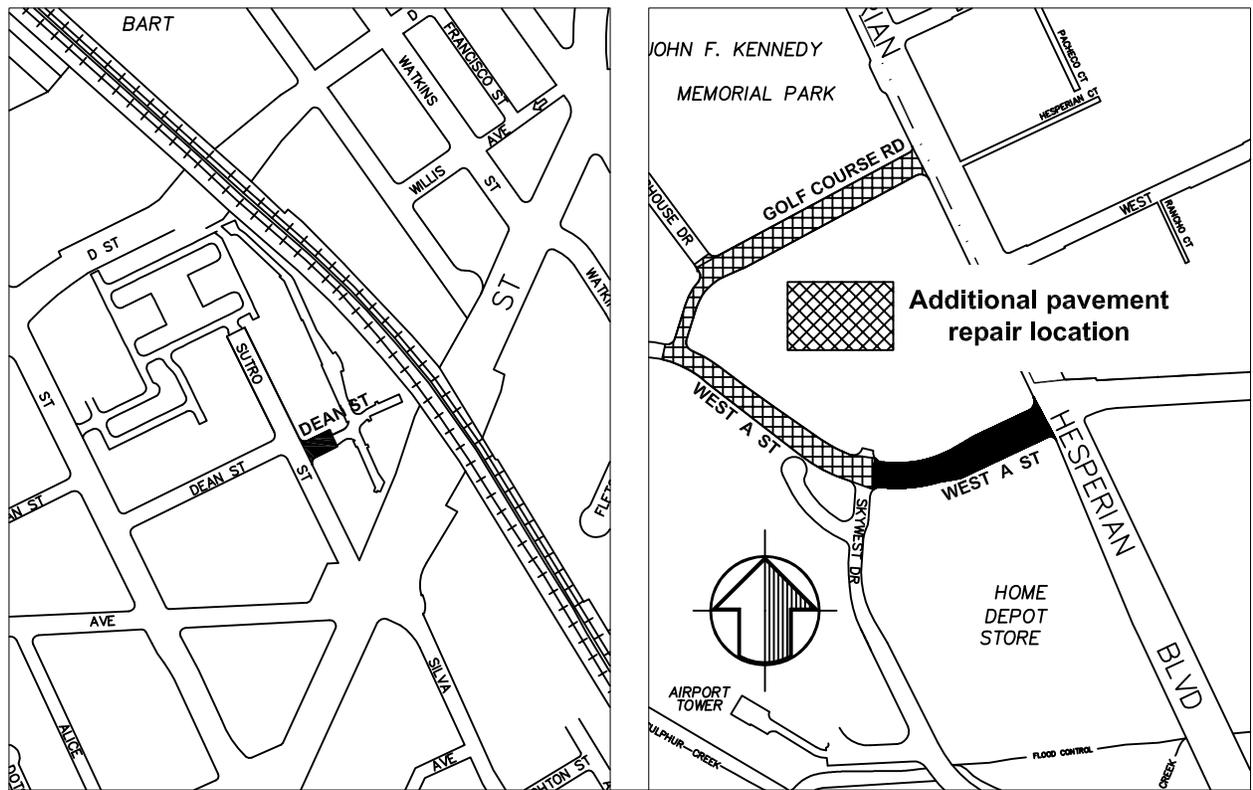
**LOCATION MAP
PAVEMENT REHABILITATION GAS TAX FY15
PROJECT NO. 05191**



**LOCATION MAP
PAVEMENT REHABILITATION GAS TAX FY15
PROJECT NO. 05191**



**LOCATION MAP
PAVEMENT REHABILITATION GAS TAX FY15
PROJECT NO. 05191**



**LOCATION MAP
PAVEMENT REHABILITATION GAS TAX FY15
PROJECT NO. 05191**

CITY OF HAYWARD
 CONSTRUCTION OF PAVEMENT REHABILITATION GAS TAX FY15
 PROJECT NO. 05191
 BIDS OPENED: 5/20/14
 (NUMBER OF BIDS RECEIVED - 7)

BID SUMMARY				ENGINEER'S ESTIMATE		Graham Contractors, Inc.		VSS International, Inc.	
						860 Lonus Street San Jose, CA 95126 (408) 293-9516 (408) 293-3633 Fax		3785 Channel Dr West Sacramento, CA 95691 (916) 373-1500 (916) 913-0183 Fax	
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	LS	TRAFFIC CONTROL	30,000.00	30,000.00	15,000.00	15,000.00	65,818.70	65,818.70
2	1	LS	CRACK SEALING	20,000.00	20,000.00	37,800.00	37,800.00	77,000.00	77,000.00
3	13,386	SF	FULL DEPTH HOT MIX ASPHALT SPOT REPAIRS (4" EXCAVATION W/4" HMA)	3.75	50,197.50	4.35	58,229.10	4.73	63,315.78
4	30,392	SF	FULL DEPTH HOT MIX ASPHALT SPOT REPAIRS (6" EXCAVATION W/6" HMA)	6.00	182,352.00	6.35	192,989.20	6.83	207,577.36
5	5	EA	ROOT PRUNE EXISTING TREE AND INSTALL ROOT BARRIER	200.00	1,000.00	3,000.00	15,000.00	800.00	4,000.00
6	27,321	SY	POLYMER MODIFIED SLURRY SEAL TYPE II	2.50	68,302.50	2.15	58,740.15	2.06	56,281.26
7	139,281	SY	POLYMER MODIFIED SLURRY SEAL TYPE III	3.00	417,843.00	2.29	318,953.49	1.90	264,633.90
8	2	EA	ADJUST MANHOLE FRAME AND COVER TO GRADE	500.00	1,000.00	550.00	1,100.00	1,050.00	2,100.00
9	5	EA	ADJUST WATER VALVE BOX AND COVER TO GRADE	300.00	1,500.00	425.00	2,125.00	420.00	2,100.00
10	1	EA	ADJUST SURVEY MONUMENT BOX AND COVER TO GRADE	300.00	300.00	425.00	425.00	420.00	420.00
11	2	EA	BICYCLE RACK	700.00	1,400.00	1,500.00	3,000.00	1,050.00	2,100.00
12	7	EA	REPLACE VEHICLE DETECTOR LOOPS	600.00	4,200.00	1,750.00	12,250.00	720.00	5,040.00
13	1	LS	RECYCLING IMPLEMENTATION	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
14	1	LS	ADMINISTRATIVE CHANGE ORDERS	40,000.00	40,000.00	40,000.00	40,000.00	40,000.00	40,000.00
			TOTAL		819,095.00		756,611.94		791,387.00

CITY OF HAYWARD
 CONSTRUCTION OF PAVEMENT REHABILITATION GAS TAX FY15
 PROJECT NO. 05191
 BIDS OPENED: 5/20/14
 (NUMBER OF BIDS RECEIVED - 7)

BID SUMMARY				ENGINEER'S ESTIMATE		G. Bortolotto & Co., Inc.		Ghilotti Bros., Inc.	
						582 Bragato Road San Carlos, CA 940706227 (650) 595-2591 (650) 595-0718 Fax		525 Jacoby St San Rafael, CA 94901 (415) 454-7011 (415) 454-8376 Fax	
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	LS	TRAFFIC CONTROL	30,000.00	30,000.00	95,454.75	95,454.75	88,187.50 *	88,187.50
2	1	LS	CRACK SEALING	20,000.00	20,000.00	39,000.00	39,000.00	37,800.00	37,800.00
3	13,386	SF	FULL DEPTH HOT MIX ASPHALT SPOT REPAIRS (4" EXCAVATION W/4" HMA)	3.75	50,197.50	5.39	72,150.54	5.30	70,945.80
4	30,392	SF	FULL DEPTH HOT MIX ASPHALT SPOT REPAIRS (6" EXCAVATION W/6" HMA)	6.00	182,352.00	7.39	224,596.88	6.00	182,352.00
5	5	EA	ROOT PRUNE EXISTING TREE AND INSTALL ROOT BARRIER	200.00	1,000.00	401.00	2,005.00	1,200.00	6,000.00
6	27,321	SY	POLYMER MODIFIED SLURRY SEAL TYPE II	2.50	68,302.50	1.11	30,326.31	2.00	54,642.00
7	139,281	SY	POLYMER MODIFIED SLURRY SEAL TYPE III	3.00	417,843.00	2.11	293,882.91	2.40 *	334,274.40
8	2	EA	ADJUST MANHOLE FRAME AND COVER TO GRADE	500.00	1,000.00	301.00	602.00	500.00	1,000.00
9	5	EA	ADJUST WATER VALVE BOX AND COVER TO GRADE	300.00	1,500.00	180.00	900.00	375.00	1,875.00
10	1	EA	ADJUST SURVEY MONUMENT BOX AND COVER TO GRADE	300.00	300.00	212.00	212.00	375.00	375.00
11	2	EA	BICYCLE RACK	700.00	1,400.00	1,500.00	3,000.00	2,200.00	4,400.00
12	7	EA	REPLACE VEHICLE DETECTOR LOOPS	600.00	4,200.00	700.00	4,900.00	450.00	3,150.00
13	1	LS	RECYCLING IMPLEMENTATION	1,000.00	1,000.00	777.00	777.00	250.00	250.00
14	1	LS	ADMINISTRATIVE CHANGE ORDERS	40,000.00	40,000.00	40,000.00	40,000.00	40,000.00	40,000.00
TOTAL					819,095.00		807,807.39	**	825,251.70

* Line Total Correction

** Total Bid Correction

CITY OF HAYWARD
 CONSTRUCTION OF PAVEMENT REHABILITATION GAS TAX FY15
 PROJECT NO. 05191
 BIDS OPENED: 5/20/14
 (NUMBER OF BIDS RECEIVED - 7)

BID SUMMARY				ENGINEER'S ESTIMATE		American Asphalt Repair & Resurfacing Co., Inc. 24200 Clawiter Road Hayward, CA 94540 (510) 723-0280 (510) 723-0288 Fax		Interstate Grading & Paving, Inc. 128 So. Maple Ave South San Francisco, CA 94080 (650) 952-7333 (650) 952-6851 Fax	
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	LS	TRAFFIC CONTROL	30,000.00	30,000.00	65,000.00	65,000.00	103,000.00	103,000.00
2	1	LS	CRACK SEALING	20,000.00	20,000.00	30,000.00	30,000.00	70,000.00	70,000.00
3	13,386	SF	FULL DEPTH HOT MIX ASPHALT SPOT REPAIRS (4" EXCAVATION W/4" HMA)	3.75	50,197.50	5.60	74,961.60	6.25	83,662.50
4	30,392	SF	FULL DEPTH HOT MIX ASPHALT SPOT REPAIRS (6" EXCAVATION W/6" HMA)	6.00	182,352.00	7.83	237,969.36	7.25	220,342.00
5	5	EA	ROOT PRUNE EXISTING TREE AND INSTALL ROOT BARRIER	200.00	1,000.00	3,500.00	17,500.00	500.00	2,500.00
6	27,321	SY	POLYMER MODIFIED SLURRY SEAL TYPE II	2.50	68,302.50	2.01	54,915.21	2.00	54,642.00
7	139,281	SY	POLYMER MODIFIED SLURRY SEAL TYPE III	3.00	417,843.00	2.28	317,560.68	2.60	362,130.60
8	2	EA	ADJUST MANHOLE FRAME AND COVER TO GRADE	500.00	1,000.00	1,200.00	2,400.00	600.00	1,200.00
9	5	EA	ADJUST WATER VALVE BOX AND COVER TO GRADE	300.00	1,500.00	500.00	2,500.00	500.00	2,500.00
10	1	EA	ADJUST SURVEY MONUMENT BOX AND COVER TO GRADE	300.00	300.00	500.00	500.00	500.00	500.00
11	2	EA	BICYCLE RACK	700.00	1,400.00	2,000.00	4,000.00	1,500.00	3,000.00
12	7	EA	REPLACE VEHICLE DETECTOR LOOPS	600.00	4,200.00	2,000.00	14,000.00	500.00	3,500.00
13	1	LS	RECYCLING IMPLEMENTATION	1,000.00	1,000.00	2,500.00	2,500.00	6,400.00	6,400.00
14	1	LS	ADMINISTRATIVE CHANGE ORDERS	40,000.00	40,000.00	40,000.00	40,000.00	40,000.00	40,000.00
			TOTAL		819,095.00		863,806.85	*	953,377.10

CITY OF HAYWARD
 CONSTRUCTION OF PAVEMENT REHABILITATION GAS TAX FY15
 PROJECT NO. 05191
 BIDS OPENED: 5/20/14
 (NUMBER OF BIDS RECEIVED - 7)

BID SUMMARY				ENGINEER'S ESTIMATE		Intermountain Slurry Seal, Inc. 1005 Terminal Way, Suite 220 Reno, NV 89502 (775) 358-1355 (775) 355-3458 Fax	
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	LS	TRAFFIC CONTROL	30,000.00	30,000.00	50,707.60	50,707.60
2	1	LS	CRACK SEALING	20,000.00	20,000.00	125,000.00	125,000.00
3	13,386	SF	FULL DEPTH HOT MIX ASPHALT SPOT REPAIRS (4" EXCAVATION W/4" HMA)	3.75	50,197.50	4.50	60,237.00
4	30,392	SF	FULL DEPTH HOT MIX ASPHALT SPOT REPAIRS (6" EXCAVATION W/6" HMA)	6.00	182,352.00	6.50	197,548.00
5	5	EA	ROOT PRUNE EXISTING TREE AND INSTALL ROOT BARRIER	200.00	1,000.00	750.00	3,750.00
6	27,321	SY	POLYMER MODIFIED SLURRY SEAL TYPE II	2.50	68,302.50	2.55	69,668.55
7	139,281	SY	POLYMER MODIFIED SLURRY SEAL TYPE III	3.00	417,843.00	2.85	396,950.85
8	2	EA	ADJUST MANHOLE FRAME AND COVER TO GRADE	500.00	1,000.00	1,000.00	2,000.00
9	5	EA	ADJUST WATER VALVE BOX AND COVER TO GRADE	300.00	1,500.00	400.00	2,000.00
10	1	EA	ADJUST SURVEY MONUMENT BOX AND COVER TO GRADE	300.00	300.00	400.00	400.00
11	2	EA	BICYCLE RACK	700.00	1,400.00	1,000.00	2,000.00
12	7	EA	REPLACE VEHICLE DETECTOR LOOPS	600.00	4,200.00	385.00	2,695.00
13	1	LS	RECYCLING IMPLEMENTATION	1,000.00	1,000.00	5,000.00	5,000.00
14	1	LS	ADMINISTRATIVE CHANGE ORDERS	40,000.00	40,000.00	40,000.00	40,000.00
			TOTAL		819,095.00		957,957.00

DATE: June 17, 2014

TO: Mayor and City Council

FROM: Director of Public Works – Engineering & Transportation

SUBJECT: Fire Station No. 7 and Firehouse Clinic Construction Project: Approval of Addenda and Award of Contract

RECOMMENDATION

That Council adopts the attached resolutions:

1. Approving Addenda No. 1 through 6, providing revisions to the plans and specifications;
2. Awarding the contract to D.L. Falk Construction, Inc., in the amount of \$8,107,000; and
3. Authorizing an increase of \$258,000 for additional design and construction support services with WLC Architects, Inc.

BACKGROUND

Hayward Fire Station No. 7, located at 27280 Huntwood Avenue in Hayward, is currently a four-piece modular building with an adjacent apparatus bay that opened in 1998. The modular building is 4,300 square feet, while the apparatus bay is 2,300 square feet. This modular building, which originally served as temporary housing for firefighters during the construction of Fire Station No. 1, includes an office, kitchen, day room/classroom, dormitory, locker room, male and female restrooms, and equipment storage; this building also houses an EMS (Emergency Medical Services) decontamination sink, station repair shop, and fitness exercise equipment. The limited apparatus bay houses a fire engine and a ladder truck.

The proposed Fire Station No. 7 building will be a 13,509 square foot, two-story building consisting of a four-bay wide, double-deep apparatus bay, a public lobby, Battalion Chief quarters, staff work spaces, and living quarters. A day room, kitchen, and dining room will be grouped together with access to a secured staff parking area. Other features being proposed for this fire station include a workshop, conference room, and an exercise room.

The proposed Firehouse Clinic will be a 2,400 square foot one-story building, consisting of seven exam rooms, a waiting area, a treatment room, a consultation room, a laboratory, and restrooms. The outside architectural features of the clinic building will be compatible with the new fire station building (see Attachment III).

On April 1, 2014, Council approved the plans and specifications for the Fire Station No. 7 and Firehouse Clinic Construction project and called for bids to be received on April 29, 2014.

Addenda No. 1 through 6 made minor revisions to the drawings and specifications. It also changed the date for bids to be received to May 13, 2014.

DISCUSSION

The project site has an area of 52,200 square feet (1.15 acres) that will accommodate both buildings, as well as parking for twenty-eight vehicles and two accessible spaces. Utilizing guidelines from the United States Green Building Council, the buildings will be constructed with material designed to be highly durable and energy efficient. Such materials will help increase the life of the building and reduce maintenance costs. The fire station building has been designed to meet standards of the Leadership in Energy and Environmental Design (LEED) Silver category. The City will pursue the certification from the United States Green Building Council.

Some of the “green” features included in the building are low flow lavatory and sink faucets, high efficiency domestic hot water heaters and cooling system, energy efficient windows, a reflective rooftop covering, skylights, energy efficient lighting fixtures, and automatic lighting controls. Green features for the site include: a storm drain bio-retention area; flow-through planters; and water efficient landscape. In addition, high efficiency LED street lights will be added on Huntwood Avenue and Lustig Court.

On May 13, 2014, the City received eleven bids ranging from \$8,107,000 to \$9,926,236. D.L. Falk, Construction, Inc., of Hayward, submitted the low bid in the amount of \$8,107,000, which is 18.5% below the Engineer’s estimate of \$9,945,000. S W Allen Construction, of Sacramento, submitted the second low bid in the amount of \$8,153,796, which is 18.0% below the Engineer’s estimate.

All bid documents and licenses are in order. Staff recommends award of contract to the low bidder, D.L. Falk Construction, Inc., in the amount of \$8,107,000.

On July 17, 2013, Council authorized the City Manager to negotiate and enter into an agreement with WLC Architects, Inc. (WLC) for the design of the new Fire Station No. 7 in an amount not-to-exceed \$370,000. Staff determined that it was cost-effective to have the same architect design and prepare construction documents for the Firehouse Clinic; therefore, on July 30, 2013, Council authorized the City Manager to amend the agreement with WLC for an additional amount not-to-exceed \$100,000 for architectural services to design the Firehouse Clinic. While WLC’s original agreement included designing the Fire Station to LEED Silver standards as required by City ordinance, the design contract did not include the LEED certification and construction support services that are needed during the construction phase of the project. An estimated \$258,000 is needed for these services during the construction phase, and staff recommends that Council approve increasing the architect’s contract by this amount for the needed services.

The project is categorically exempt from environmental review under Section 15302 (Replacement or Reconstruction) of the California Environmental Quality Act (CEQA)

Guidelines for the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced.

FISCAL IMPACT

The estimated project costs are as follows:

Construction Contract	\$8,107,000
Other Costs (Technology/network equipment, Equipment, Security, Furniture, etc.)	600,000
Temporary Housing (during construction)	200,000
Design and Administration (including Construction Support for LEED Certification)	800,000
Construction Administration, Inspection and Testing	<u>893,000</u>
Total:	\$10,600,000

Approximately \$600,000 of this total amount has already been expended for architectural and engineering design services as part of a separate project in the CIP through a transfer from the General Fund. On June 10, 2014, Council approved the financing documents and parameters for the financing of the new fire station and firehouse clinic. The City will be financing approximately \$8.8 million between a private placement arrangement with a bank , and an advance from the City’s Water Enterprise Fund. In addition, the Alameda County Health Services Department has pledged a grant of \$1.2 million toward the construction of the Firehouse Clinic.

The estimated project funding sources are as follows:

Bank Financing	\$5,380,000	<i>(net of cost of financing of \$121,000)</i>
Water Enterprise Fund	3,420,000	
County Grant	1,200,000	
Previous CIP Allocation (from GF)	<u>600,000</u>	
Total:	\$10,600,000	

PUBLIC CONTACT

A public information meeting was held on January 22, 2014, at the current Fire Station No. 7. A notice of that meeting was sent to all property owners, occupants and other interested individuals within 500 feet of the subject site to provide an opportunity to comment. Several residents were in attendance and expressed support for the project. Notices will be distributed to all property owners and occupants within 500 feet of the subject site once the construction schedule is established.

SCHEDULE

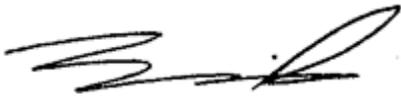
Begin Work
Complete Work

July 14, 2014
August 15, 2015

Prepared by: Yaw Owusu, Assistant City Engineer

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

Approved by:



Fran David, City Manager

Attachments:

- Attachment I: Resolution – Approval of Addenda and Award of Contract
- Attachment II: Resolution – Amendment to Professional Services Agreement
- Attachment III: Location Map
- Attachment IV: Bid Summary

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-_____

Introduced by Council Member _____

RESOLUTION APPROVING ADDENDA NO. 1-6 FOR THE FIRE STATION NO. 7 AND FIREHOUSE CLINIC CONSTRUCTION PROJECT, PROJECT NO. 07472, AND AWARDING THE CONTRACT TO D.L. FALK CONSTRUCTION, INC.

WHEREAS, by resolution on April 1, 2014, the City Council approved the plans and specifications for the Fire Station No. 7 and Firehouse Clinic Construction Project, Project No. 07472, and called for bids to be received on April 29, 2014; and

WHEREAS, on April 11, 2014, Addendum No. 1 was provided to make revisions to the plans and specifications; and

WHEREAS, on April 21, 2014, Addendum No. 2 was provided to make revisions to the plans and specifications; and

WHEREAS, on April 24, 2014, Addendum No. 3 was provided to make revisions to the plans and specifications; and

WHEREAS, on April 25, 2014, Addendum No. 4 was provided to make revisions to the plans and specifications, and revised the bid opening date to May 6, 2014; and

WHEREAS, on May 1, 2014, Addendum No. 5 was provided to make revisions to the plans and specifications, and revised the bid opening date to May 13, 2014; and

WHEREAS, on May 7, 2014, Addendum No. 6 was provided to make revisions to the plans and specifications; and

WHEREAS, on May 13, 2014, eleven bids were received, ranging from \$8,107,000 to \$9,926,236; D.L. Falk Construction, Inc. of Hayward, California submitted the low bid in the amount of \$8,107,000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that D.L. Falk Construction, Inc. is hereby awarded the contract for the Fire Station No. 7 and Firehouse Clinic project, Project No. 07472, in an amount not to exceed \$8,107,000, 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 D.L. Falk Construction, Inc., 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 _____, 2014

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 14-_____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH WLC ARCHITECTS, INC. FOR ADDITIONAL DESIGN AND CONSTRUCTION SUPPORT SERVICES ASSOCIATED WITH THE DESIGN OF THE FIREHOUSE CLINIC AS PART OF THE NEW FIRE STATION NO. 7 AND FIREHOUSE CLINIC CONSTRUCTION PROJECT, PROJECT NO. 07472

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute, on behalf of the City of Hayward, an amendment to the agreement with WLC Architects, Inc. for additional design and construction support services associated with the design of a Firehouse Clinic as part of the new Fire Station No. 7 and Firehouse Clinic Construction Project, Project No. 07472, in an amount not-to-exceed \$258,000, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2014

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



FIRE STATION NO. 7 AND FIREHOUSE CLINIC SITE
LOCATION MAP

CITY OF HAYWARD
 CONSTRUCTION OF FIRE STATION NO. 7 AND FIREHOUSE CLINIC
 PROJECT NO. 07465
 BIDS OPENED: 5/13/14
 (NUMBER OF BIDS RECEIVED - 11)

BID SUMMARY					ENGINEER'S ESTIMATE		D.L. Falk Construction, Inc.		S W Allen Construction, Inc.	
							3526 Investment Blvd Hayward, CA 94545 (510) 887-6500 (510) 887-6501 Fax		4777 Auburn Blvd, Suite 100 Sacramento, CA 95841 (916) 344-2098 (916) 344-0307 Fax	
ITEM	ITEM CODE	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	ALL	1	LS	CONSTRUCTION OF FIRE STATION NO. 7 AND FIREHOUSE CLINIC BUILDINGS	7,030,000.00	7,030,000.00	6,596,872.00	6,596,872.00	6,528,779.00	6,528,779.00
2	ALL	1	LS	SITE WORK	2,045,000.00	2,045,000.00	813,857.00	813,857.00	865,998.00	865,998.00
3	5-1.07(3)	1	LS	BUILDER'S RISK INSURANCE	200,000.00	200,000.00	19,271.00	19,271.00	65,322.00	65,322.00
4	10-1.16	1	LS	RECYCLING IMPLEMENTATION	2,000.00	2,000.00	9,000.00	9,000.00	25,696.00	25,696.00
5	10-1.19	1	LS	ADMINISTRATIVE CHANGE ORDERS	668,000.00	668,000.00	668,000.00	668,000.00	668,000.00	668,000.00
TOTAL						9,945,000.00		8,107,000.00	*	8,153,795.00

* Total Bid Correction

CITY OF HAYWARD
 CONSTRUCTION OF FIRE STATION NO. 7 AND FIREHOUSE CLINIC
 PROJECT NO. 07465
 BIDS OPENED: 5/13/14
 (NUMBER OF BIDS RECEIVED - 11)

BID SUMMARY				ENGINEER'S ESTIMATE		Diede Construction, Inc.		Zolman Construction and Development, Inc.		
						12393 N. Highway 99 Lodi, CA 95240 (209) 369-8255 (209) 368-0600 Fax		565 Bragato Road San Carlos, CA 94070 (650) 802-9901 (650) 802-9902 Fax		
ITEM	ITEM CODE	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	ALL	1	LS	CONSTRUCTION OF FIRE STATION NO. 7 AND FIREHOUSE CLINIC BUILDINGS	7,030,000.00	7,030,000.00	6,150,000.00	6,150,000.00	7,204,880.00	7,204,880.00
2	ALL	1	LS	SITE WORK	2,045,000.00	2,045,000.00	1,230,000.00	1,230,000.00	676,305.00	676,305.00
3	5-1.07(3)	1	LS	BUILDER'S RISK INSURANCE	200,000.00	200,000.00	130,000.00	130,000.00	25,000.00	25,000.00
4	10-1.16	1	LS	RECYCLING IMPLEMENTATION	2,000.00	2,000.00	36,000.00	36,000.00	12,000.00	12,000.00
5	10-1.19	1	LS	ADMINISTRATIVE CHANGE ORDERS	668,000.00	668,000.00	668,000.00	668,000.00	668,000.00	668,000.00
TOTAL						9,945,000.00		8,214,000.00		8,586,185.00

CITY OF HAYWARD
 CONSTRUCTION OF FIRE STATION NO. 7 AND FIREHOUSE CLINIC
 PROJECT NO. 07465
 BIDS OPENED: 5/13/14
 (NUMBER OF BIDS RECEIVED - 11)

BID SUMMARY					ENGINEER'S ESTIMATE		Zovich & Sons, Inc.		Sausal Corporation	
							2485 Technology Dr Hayward, CA 94545 (510) 784-0173 (510) 784-0173 Fax		422 Whitney Street San Leandro, CA 94577 (510) 568-6600 (510) 632-9769 Fax	
ITEM	ITEM CODE	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	ALL	1	LS	CONSTRUCTION OF FIRE STATION NO. 7 AND FIREHOUSE CLINIC BUILDINGS	7,030,000.00	7,030,000.00	7,085,000.00	7,085,000.00	7,030,500.00	7,030,500.00
2	ALL	1	LS	SITE WORK	2,045,000.00	2,045,000.00	800,000.00	800,000.00	900,000.00	900,000.00
3	5-1.07(3)	1	LS	BUILDER'S RISK INSURANCE	200,000.00	200,000.00	58,000.00	58,000.00	28,000.00	28,000.00
4	10-1.16	1	LS	RECYCLING IMPLEMENTATION	2,000.00	2,000.00	5,000.00	5,000.00	5,000.00	5,000.00
5	10-1.19	1	LS	ADMINISTRATIVE CHANGE ORDERS	668,000.00	668,000.00	668,000.00	668,000.00	668,000.00	668,000.00
TOTAL						9,945,000.00		8,616,000.00		8,631,500.00

CITY OF HAYWARD
 CONSTRUCTION OF FIRE STATION NO. 7 AND FIREHOUSE CLINIC
 PROJECT NO. 07465
 BIDS OPENED: 5/13/14
 (NUMBER OF BIDS RECEIVED - 11)

BID SUMMARY					ENGINEER'S ESTIMATE		Transworld Construction Inc.		W.A. Thomas Co., Inc.	
					1178 Folsom Street San Francisco, CA 94103 (415) 626-5500 (415) 863-3578 Fax		2356 Pacheco Blvd Martinez, CA 94553 (925) 228-9600 (925) 228-6932 Fax			
ITEM	ITEM CODE	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	ALL	1	LS	CONSTRUCTION OF FIRE STATION NO. 7 AND FIREHOUSE CLINIC BUILDINGS	7,030,000.00	7,030,000.00	7,111,985.00	7,111,985.00	7,127,000.00	7,127,000.00
2	ALL	1	LS	SITE WORK	2,045,000.00	2,045,000.00	852,945.00	852,945.00	1,268,000.00	1,268,000.00
3	5-1.07(3)	1	LS	BUILDER'S RISK INSURANCE	200,000.00	200,000.00	30,070.00	30,070.00	55,000.00	55,000.00
4	10-1.16	1	LS	RECYCLING IMPLEMENTATION	2,000.00	2,000.00	37,000.00	37,000.00	5,000.00	5,000.00
5	10-1.19	1	LS	ADMINISTRATIVE CHANGE ORDERS	668,000.00	668,000.00	668,000.00	668,000.00	668,000.00	668,000.00
TOTAL						9,945,000.00		8,700,000.00		9,123,000.00

CITY OF HAYWARD
 CONSTRUCTION OF FIRE STATION NO. 7 AND FIREHOUSE CLINIC
 PROJECT NO. 07465
 BIDS OPENED: 5/13/14
 (NUMBER OF BIDS RECEIVED - 11)

BID SUMMARY					ENGINEER'S ESTIMATE		Roebbelen Contracting, Inc.		Pacific-Mountain Contractors of California, Inc.	
							1241 Hawks Flight Court El Dorado Hills, CA 95762 (916) 939-4000 (916) 939-4027 Fax		4021 Port Chicago Hwy, Suite H Concord, CA 94520 (925) 603-2652 (925) 687-8430 Fax	
ITEM	ITEM CODE	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	ALL	1	LS	CONSTRUCTION OF FIRE STATION NO. 7 AND FIREHOUSE CLINIC BUILDINGS	7,030,000.00	7,030,000.00	7,313,000.00	7,313,000.00	7,976,042.00	7,976,042.00
2	ALL	1	LS	SITE WORK	2,045,000.00	2,045,000.00	1,325,000.00	1,325,000.00	831,212.00	831,212.00
3	5-1.07(3)	1	LS	BUILDER'S RISK INSURANCE	200,000.00	200,000.00	25,000.00	25,000.00	29,008.00	29,008.00
4	10-1.16	1	LS	RECYCLING IMPLEMENTATION	2,000.00	2,000.00	35,000.00	35,000.00	12,163.00	12,163.00
5	10-1.19	1	LS	ADMINISTRATIVE CHANGE ORDERS	668,000.00	668,000.00	668,000.00	668,000.00	668,000.00	668,000.00
TOTAL						9,945,000.00		9,366,000.00		9,516,425.00

CITY OF HAYWARD
 CONSTRUCTION OF FIRE STATION NO. 7 AND FIREHOUSE CLINIC
 PROJECT NO. 07465
 BIDS OPENED: 5/13/14
 (NUMBER OF BIDS RECEIVED - 11)

BID SUMMARY					ENGINEER'S ESTIMATE		Bara Infoware, Inc. 2678 Bishop Drive, Suite 116 San Ramon, CA 94583 (925) 790-0136 (925) 790-0134 Fax	
ITEM	ITEM CODE	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	ALL	1	LS	CONSTRUCTION OF FIRE STATION NO. 7 AND FIREHOUSE CLINIC BUILDINGS	7,030,000.00	7,030,000.00	8,253,236.00	8,253,236.00
2	ALL	1	LS	SITE WORK	2,045,000.00	2,045,000.00	1,000,000.00	1,000,000.00
3	5-1.07(3)	1	LS	BUILDER'S RISK INSURANCE	200,000.00	200,000.00	4,500.00	4,500.00
4	10-1.16	1	LS	RECYCLING IMPLEMENTATION	2,000.00	2,000.00	500.00	500.00
5	10-1.19	1	LS	ADMINISTRATIVE CHANGE ORDERS	668,000.00	668,000.00	668,000.00	668,000.00
TOTAL						9,945,000.00		9,926,236.00

DATE: June 17, 2014

TO: Mayor and City Council
Housing Authority Chair and Board Members

FROM: Assistant City Manager

SUBJECT: Adopt Resolutions Relating to (1) the Assignment of JMJ Development, LLC's Rights and Obligations Under the South Hayward BART Owner Participation Agreement to AMCAL Equities, LLC; and (2) Modifications and Clarifications to the Conditions of Approval Related to the First Phase of the South Hayward BART Transit-Oriented Development; and (3) a \$1,000,000 Housing Authority Conditional Loan to Eden Housing, Inc., for the Affordable Housing Component of the South Hayward BART Transit-Oriented Development

RECOMMENDATION

That the City Council relies on the previously approved environmental documents and adopts the attached resolution:

- Approving the assignment of JMJ Development, LLC's rights and obligations under the South Hayward BART Owner Participation Agreement to AMCAL Equities, LLC, contingent on satisfaction of specified conditions; and
- Modifying certain conditions of approval related to the South Hayward BART transit-oriented development.

That the Housing Authority Board adopts the attached resolution:

- Approving a conditional \$1,000,000 loan to Eden Housing, Inc.

SUMMARY

The South Hayward BART transit-oriented development project was initially approved in March of 2009 and “re-phased” in 2011. The first phase of the project, entailing 151 affordable apartments and 206 market-rate units, would represent the first major development in the area surrounding the South Hayward BART Station (the “Phase I Project”). It is expected that the project will stimulate other future developments in the South Hayward BART Station area, leading to the eventual development of the envisioned transit village for the area. This report relates to requests by the Phase I Project proponents to help ensure the Phase I Project will be built. Staff is supportive of certain items as described in this report, given the importance of the Phase I Project to development in the area.

Assignment of Development Rights: JMJ Development, LLC (“JMJ”, formerly Wittek Montana Development) has negotiated an agreement to sell its interest in the Phase I Project, including its interest in the South Hayward BART Owner Participation Agreement (the “OPA”), to AMCAL Equities, LLC (“AMCAL”). In the event that AMCAL elects to purchase JMJ’s interest in the Phase I Project, JMJ will require City approval of its transfer to AMCAL.

Conditions of Approval: JMJ and Eden Housing, Inc. (“Eden”) have requested modifications to the conditions of approval concerning public art and the timing of the formation of a landscape and lighting assessment district. In addition, they are requesting certain clarifications and credits with respect to the park dedication in-lieu fee requirements. The changes to the conditions of approval are contingent upon AMCAL assuming JMJ’s interest in the Phase I project.

Housing Authority Conditional Loan: As part of their joint development agreement, JMJ and Eden contracted to split the proceeds of the State’s Proposition 1C Infill Infrastructure Grant (IIG) Funds. These funds were intended to fund infrastructure improvements necessary to facilitate development of both housing projects. JMJ and Eden also agreed that, in the event Eden faces a funding gap prior to construction, JMJ and Eden would negotiate in good faith to review Eden’s gap and possibly mitigate it by transferring no more than \$1,000,000 in IIG Grant funds originally allocated to JMJ.

To facilitate the transfer of JMJ’s interest in the Phase I Project to AMCAL and to ensure the feasibility of the Phase I Project due to escalating construction costs and interest rates, JMJ has requested that the Housing Authority agree to assume JMJ’s obligation to potentially backstop Eden’s gap, in the event that Eden can document additional unanticipated costs, which must be met in order for the affordable project to be completed and for which no other sources are available. In order to do this, the Housing Authority would agree to meet with Eden in the event Eden faced a financing gap. In addition, the Housing Authority would agree to potentially contribute not more than \$1,000,000 in Housing Authority funds in the event the gap could not otherwise be eliminated.

BACKGROUND

Assignment of Development Rights: The City Council approved the Owner Participation Agreement (the “OPA”) governing the development and operation of the Phase I Project on July 26, 2011.¹ The current parties to the OPA are JMJ, Eden, and the City. JMJ has negotiated a purchase agreement under which it intends to sell its interest in the Phase I Project to AMCAL. AMCAL is currently performing its due diligence, as allowed under the purchase agreement. Before AMCAL waives any contingencies under its agreement with JMJ, AMCAL would like assurances from the City that the City will approve AMCAL as JMJ’s successor. The OPA requires that the City approve JMJ’s transfer of its interest in the OPA to AMCAL. The OPA states that in approving a successor to JMJ, the City may consider, among other factors: the development and property management experience of the proposed transferee; its financial status; and the transferee’s creditworthiness.

Conditions of Approval: The South Hayward BART Transit-Oriented Development Project was originally conceived of as a larger multi-phase development and the conditions of approval for the project were prepared and approved with the larger project in mind. In response to the economic

¹ Approved by the City Council at its meeting on July 26, 2011, see <http://citydocuments.hayward-ca.gov/WebLink8/0/doc/140065/Page1.aspx>

downturn and the demise of redevelopment, the larger project was re-phased to include the Phase I Project and a potential future second phase.

- July 26, 2011, the Council approved a modification of conditions of approval associated with the Preliminary Development Plan for the 2009-approved Planned Development District (PD) Rezoning, concerning primarily the Phase I Project in connection with the rephasing.
- June 28, 2012, the Planning Commission approved the Precise Development Plan after finding it to be consistent with the Preliminary Development Plan.
- November 15, 2012, the Planning Commission approved a vesting tentative tract map for condominiums and related conditions of approval in connection with the Phase I Project.

The developers are seeking modifications to the conditions of approval relating to public art and the landscape and lighting assessment district. The developers are also seeking clarification of the requirements and credits concerning the payment of park dedication in-lieu fees.

- Public Art - The condition of approval concerning public art (Condition 1e(xi) in the July 26, 2011 Conditions of Approval) requires that public art feature(s) be installed prior to the build out of each phase of the larger South Hayward BART Transit-Oriented Project. In 2011, the City modified this condition to permit the developer of the Phase I Project to make a cash payment of 50% of the value of the public art features in lieu of actually providing those features. The value of the public art features must be equal to 1% of the Phase I Project construction costs, excluding transit facilities and infrastructure improvement costs. JMJ and Eden have requested that the public art condition be waived as it pertains to the Phase I Project to better ensure project feasibility. The origination of this condition stems back to the design of the larger originally contemplated South Hayward BART Transit-Oriented Development, where the art was seen as a mitigation for the increased heights of buildings adjacent to the BART station. These buildings are now considered part of Phase II of the project. As currently proposed, the Phase I Project does not have any buildings that exceed the current height guidelines.
- Landscape and Lighting Assessment District - The condition of approval concerning the landscaping and lighting assessment district (Condition 33 of the 2011 Conditions of Approval), requires Eden and JMJ to act in good faith regarding formation of a landscaping and lighting district (to fund the maintenance and operation of the Phase I Project public park adjacent and south of the development) prior to the framing inspection of the market rate portion of the Phase I Project. The OPA requires that the landscaping and lighting assessment district (“LLD”) be formed before the certificate of occupancy is issued for the market rate portion of the Phase I Project. The OPA further requires that the developers pay for the cost of creating the LLD, with an initial deposit of \$7,500 due prior to the framing inspection for the market rate portion of the Phase I Project, and the balance of costs due prior to the issuance of a certificate of occupancy for the market rate development. The developers’ sole obligation in the formation of the LLD is to pay the cost of formation and support the formation of the LLD. The majority of the task of forming the LLD falls to the City’s staff and engineering consultants. In order to ensure that the LLD is formed prior to completion of the market rate portion of the Phase I Project, it makes sense to clarify this condition to provide that the City will make good faith efforts to complete the formation of

the LLD not later than six months following the initial framing inspection, which will allow the formation to occur before any units are completed.

- Park Dedication In-Lieu Fees - The applicable condition of approval (Condition 112(f) of the July 26, 2011 conditions and condition 100(f) in the November 15, 2012 conditions) states:
 - The developer shall pay all required fees, including those indicated below, with the amount of such fees to be in accordance with the fee schedule in effect at the time of issuance of the building permits, unless otherwise specified: f. Park dedication in-lieu fees for each dwelling unit shall be calculated at the rate in effect when the building permit for unit is issued.
 - The current park in-lieu fee for attached single-family residential (including condominium) housing is \$11,395 per unit (a total of \$2,347,370 for the 206 units). JMJ has made a variety of requests related to the park dedication in-lieu fees including:
 - That the park dedication in-lieu fees initially charged for the market rate development be set at the multi-family (rental) housing rate of \$9,653 per unit (a total of \$1,988,518), and that the difference between the attached single-family rate and the multi-family rate for the entire market rate development would be due and payable, pursuant to a recorded covenant on the land, prior to the time the first market rate unit is offered for sale (the difference in fees is currently \$358,852 but would be calculated at the then attached single-family rate at the applicable future date);
 - A credit of \$246,655, the equivalent value of 50% of the acreage of the 30,867 square foot (0.71-acre) public park property. JMJ funded 50% of the \$400,000 acquisition costs of the park property in satisfaction of the requirement of the OPA.
 - A credit for the equivalent value of \$509,707 attributed to the costs of approximately 31,893 square feet of private recreational improvements contained within the market rate development (a permitted credit under [Hayward Municipal Code Section 10-16.32](#) at the City Council's discretion if the Council finds "it is in the public interest to do so").

Housing Authority Conditional Loan: The Housing Authority Board approved financing for the Eden's affordable development at its meeting on June 14, 2011, consisting of a loan from the Housing Authority in the amount of \$4,250,000.² The City is also providing \$900,000 in HOME funds and \$813,000 in NSP2 funds to the affordable project. As noted above, Eden and JMJ agreed that JMJ would work to help fill any project gap faced by Eden (although JMJ's potential obligation was capped at a \$1,000,000 transfer of IIG Grant funds). To facilitate the transfer of JMJ's interest in the Phase I Project and to ensure the feasibility of the Phase I Project, JMJ has requested that the

² Approved by the City Council at its meeting on June 14, 2011, see <http://citydocuments.hayward-ca.gov/WebLink8/DocView.aspx?id=138529>

Housing Authority assume any obligation JMJ might have with respect to Eden's potential financing gap. Any expenditure under this loan would be of Housing Asset funds and such expenditure would be structured in a manner to ensure conformance with the requirements of Health and Safety Code Section 34167.1.

Reimbursement Agreement Waiver: AMCAL and JMJ also made a request that the City provide relief from the financial obligation created by the Reimbursement Agreement between JMJ and the City for Public Improvements along Mission Boulevard (dated September 26, 2011) and the Agreement for Public Improvements along Dixon Avenue (dated June 8, 2012). Staff does not recommend that the Council approve relief under this request and therefore this request is not discussed further in the report. These agreements were entered into because the City performed infrastructure work in the public roadways that the Project developer would have been responsible for at the time of ultimate project development. The City did this in advance for the developer's benefit so that the City streets would not have to be torn up in the future to complete the improvements and the developer would not be responsible for additional costs incurred for repaving City streets. These were improvements and costs that the developer would have incurred regardless of the City's street projects and reflect typical costs and requirements related to new development within the City.

DISCUSSION

Assignment: City staff recommends that the Council direct staff to approve a transfer of JMJ's rights and obligations under the OPA (and related project documents) to AMCAL (or to an affiliate of AMCAL) when and if AMCAL actually acquires JMJ's interest and provided that AMCAL makes a reasonable showing of an ability to materially contribute to the timely implementation and performance of the requirements of the OPA. Specifically, staff must still review and approve AMCAL's updated pro forma for the market rate project as well as a detailed construction schedule that is consistent with the various requirements that are applicable to the Phase I Project (e.g., a schedule that will permit them to complete construction of the market rate project by the end of 2016 so as to meet HCD's IIG Grant funding deadlines). In addition, AMCAL must assume all other relevant project documents.

AMCAL is a well-known developer in California and is highly regarded for successful completion of quality multi-family rental market-rate and affordable projects.³ AMCAL has been in business over 30 years and has over 4,000 units developed or in process of development. AMCAL's projects are located in a variety of markets, primarily throughout communities in Southern California, including projects in Los Angeles, Orange, San Diego, Imperial, and San Bernardino Counties. AMCAL has also developed several projects in Northern California.

The vast majority of AMCAL's projects are affordable housing projects and as such, AMCAL has been a recipient of many millions of dollars of federal and state low-income housing tax credits, redevelopment low-and moderate-income housing tax increment funding, and Prop 1C assistance. AMCAL has previously received five IIG awards totaling almost \$16 million for 377 units of development all within the City of Los Angeles. According to AMCAL, it does not have a record

³ <http://www.amcalhousing.com/>

of loan defaults, maintenance problems, housing or building code violations, or substantiated fair housing complaints at properties it owns and/or operates.

Regarding market rate residential development, AMCAL has initiated development of approximately 1,000 units since 2007. AMCAL has over 400 market rate units under construction or development for projects in the Cities of Long Beach, Marina (student housing at CSU Monterey Bay), and Pasadena (a TOD Project). Based on confidential financial information and credit references provided to the City's financial consultant, staff and the City's financial consultant conclude that AMCAL can reasonably be expected to secure the necessary funding sources (both debt and equity) to complete the project subject to their coming to acceptable terms of purchase with JMJ.

According to AMCAL, their current staffing is 62 employees and they staff with an objective to manage ten new construction starts per year. As of January 2014, AMCAL projected seven to eight starts in 2014 and nine starts in 2015. According to AMCAL, 70% of their projects include prevailing wage and union cooperation requirements. In summary, staff has determined that AMCAL has the necessary expertise, skill and ability to carry out the commitments set forth in the OPA.

Conditions of Approval:

- Public Art - A public art fee has not been previously imposed upon any development in Hayward. On March 17, 2009, when the public art condition was approved in connection with the larger South Hayward BART Transit-Oriented development, Council was advised that the planned affordable housing project and the contemplated BART parking garage both exceeded the 60-foot height limit of the then applicable zoning requirements. Staff then recommended that a public art feature or features be provided to enhance the overall development and help mitigate the visual impacts of the additional height by softening the taller buildings with architectural details, landscaping and public art. Unlike certain components of the originally conceived larger project, this Phase I Project does not exceed the 60-foot height limits.

Neither developer has been able to successfully budget for this public art fee in a manner that would ensure their respective projects would remain financially feasible. Therefore, in order to better ensure project feasibility and because the original rationale for imposing this fee related to buildings in Phase 2 of the development, staff recommends this condition of approval (No. 1.e.xi) be modified to state:

In the event that Phase 2 building heights exceed 60 feet in height, the following will apply to Phase 2 - Public art features, at a value of 1% of project construction costs, not including transit facilities and infrastructure improvements, shall be required and installed prior to build-out of ~~each the second~~ phase of the project. The design of such feature(s) shall be submitted with the Precise Development Plan for Phase 2, each phase. ~~(The developer of Phase I of the project may contribute a cash amount equal up to 50% of the required Phase I public art value, to be held by the City in an interest bearing account for use in the Phase II development.)~~

- Landscaping and Lighting Assessment District (LLD) – The request to modify this condition is simply to clarify the timing issues surrounding formation of the LLD. It does not in any way relieve the developers of the obligation to form a LLD. To clarify the formation of the LLD and to provide certainty to the developers as to the timing of this LLD, City staff recommends that the LLD condition of approval (No. 33) be modified as follows:

For Phase I, the Developer shall ~~form~~ act in good faith to cause the formation of a Landscape and Lighting District (LLD), prior to the issuance of a certificate of occupancy for any market rate units. The LLD will inspection of the market rate units building, in order to fund the operation and maintenance of the Phase I public park and the walkway public access easement connecting the park and Dixon Street. The details concerning the implementation and cost of such LLD shall be set forth in the Owner Participation Agreement, to be entered into by the Developer and the City. For Phase II - Prior to issuance of building permits, the developer shall form a LLD to fund operation and maintenance of common areas within this phase of the development. Phases I and II - Prior to approval of final maps initial framing inspection for the market rate development, each developer shall provide a \$7,500 deposit to the City to cover the costs associated with formation of each District for each phase. The exact limits of responsibility for the Districts will be determined during processing of the Precise Plan for each phase of the development. The City agrees that it will make good faith efforts to perform whatever City work is required to complete the formation of the LLD within six (6) months following its receipt of the \$7,500 deposit.

- Park Dedication In-Lieu Fees - With respect to the requests of the developer regarding the park dedication in-lieu fees, staff recommends that City Council direct Planning staff to provide the following clarifications to the developers in the conditions of approval:
 1. For the market rate portion of the Phase I Project, the City will initially charge the multi-family housing rate of \$9,653 per unit (a total of \$1,988,518) and charge the remaining amounts owed, at the then applicable rate for attached single family residential units, prior to when the first market rate unit is offered for sale.⁴ The market rate developer's obligation to pay this remaining amount would be documented in a covenant that will be recorded against the market rate units. The covenant would be released upon receipt of the balance of the park dedication in-lieu fees. While this will delay payment, it will not result in a loss of park funds to the City.
 2. The market rate developer shall receive credit in the amount of \$246,655, the equivalent value of 50% of the acreage of the 30,867 square foot public park property, because the developer paid for the City's purchase of 50% of the park land.
 3. The market rate developer may receive a credit for the equivalent value of approximately \$509,707 attributed to the costs of the approximately 31,893 square

⁴ Pursuant to the guidelines for the Prop 1C IIG funds, the units must remain rental units for a period of five years.

feet of private recreational improvements contained within the market rate development as permitted under Hayward Municipal Code Section 10-16.32 because ensuring a financially successful market rate project at the South Hayward BART site will help stimulate other future development in that area and is within the public's interest.

JMJ anticipates spending \$950,000 on the improvements at the adjacent public park. MJM agreed in the OPA that the first \$455,000 would not be credited against the in-lieu fees. Therefore, staff anticipates that MJM will also receive a \$495,000 in-lieu fee payment credit. This credit is contingent on confirmation of the total improvements construction cost by the City of Hayward, in consultation with the Hayward Area Recreation and Park District (HARD). MJM and AMCAL have requested relief from the OPA provision which states that the first \$455,000 in park improvement costs will not be credited against the park dedication in-lieu fees, but given HARD's already slim operating budgets and the need for parks in this area of the City, staff recommends retaining this OPA provision, which results in a lower credit amount for the developer.

These credits/adjustment would require a total cash payment from the developer of \$737,156 to be paid at final inspection or certificate of occupancy, with the remaining single family rate amount deferred until the first unit is offered for sale. If calculated at today's rates, the amount of deferred fees would equal \$358,852.

Staff has met with HARD staff about these recommendations and they agree with staff's analysis that the above recommendations are consistent with the City's regulations.

Backstop Eden's Costs for Other IIG-Eligible Work: Authority staff recommends that the Housing Authority approve a conditional loan of up to \$1,000,000 to Eden Housing, Inc. Any such loan would only be made after the Authority and Eden have met to review Eden's budget and Authority staff has agreed to provide the additional funds. Such funds would only be provided to Eden if they were necessary to ensure the viability of the affordable component of the Phase I Project. Staff recommends that the Housing Authority Executive Director be authorized to negotiate and execute a loan agreement or amendment to the existing loan agreement to effectuate the terms of this approval.

Environmental Review: The Phase 1 Project construction was previously reviewed under a Mitigated Negative Declaration (MND) and related Mitigation Monitoring and Reporting Program adopted for the South Hayward BART Mixed-Use Project certified by the City Council via Resolution No. 09-025 on March 17, 2009. Environmental analysis related to revisions to the project regarding rephrasing and a rescope of the entire project were addressed in an Addendum to the MND approved in June of 2011. The revisions to the project's conditions of approval as outlined in this report are not substantial in nature for purposes of CEQA review and there is no change of circumstances or new or increased environmental impact as result of the recommended revisions. As such, it is appropriate to rely on the previously approved environmental documents pursuant to Public Resources Code Section 21166 and Section 15162 of the CEQA guidelines.

ECONOMIC IMPACT

The successful development of the Phase 1 Project will have an immense positive economic impact on south Hayward. The commencement of the housing construction in this area should spur other development in the area. Proposed nearby projects would likely re-commence their planning, leading to construction. The development of housing in the area should lead to stronger interest from retailers, and thereby, planning and construction of retail centers. Initial development under this Phase 1 Project would also have a positive economic impact by creating approximately 500 immediate high-quality construction, design and engineering service jobs through the three-year development cycle. The Phase 1 Project will also increase BART ridership and decrease vehicle miles traveled and thus will help reduce greenhouse gas emissions associated with vehicles, which is in line with the goals in the City's Climate Action Plan. Total Phase I Project costs are estimated to be more than \$100 million, exclusive of land costs.

FISCAL IMPACT

Funding in the amount of \$2,054,376 has been disbursed by HCD as a part of the \$16,389,520 previously awarded Proposition 1-C funds, for which the City is jointly and severally liable. JMJ's transfer would remove liability from JMJ, and AMCAL would become jointly and severally liable for the IIG funds.

If approved, the modification of Condition 1.e.xi would generate no fiscal impact as art feature(s), not fees, were required. The modification to Condition 33 would not have a fiscal impact on the City.

If approved, the modification of Conditions 112(f) and 100(f) would result in the deferral of at least \$358,852 in park dedication in-lieu fees until such time as the first Market Rate Unit is offered for sale, and a payment of \$737,156 in park dedication in-lieu fees. These credits have been calculated consistent with the provisions of the City's Park Dedication Ordinance.

If approved, the Housing Authority commitment could cause the Housing Authority to fund up to \$1,000,000 for the affordable component of the project. The funds for this loan would come from the Housing Authority's Housing Asset fund.

NEXT STEPS

If the attached resolutions are adopted and if AMCAL acquires JMJ's interest, the City Manager would negotiate and execute an assignment of the OPA from JMJ to AMCAL in a manner that is consistent with this staff report. If the attached resolutions are adopted and AMCAL acquires JMJ's interest in the Phase I Project, the Director of Development Services will amend the Project conditions of approval. The Housing Authority Executive Director will provide Eden a commitment letter for the contingent loan and will negotiate and execute a loan agreement or amendment to the existing loan agreement to be consistent with the terms of this approval.

Prepared by: John DeClercq, Project Manager
Sara Buizer, AICP, Planning Manager

Recommended by: Kelly McAdoo, Assistant City Manager
David Rizk, AICP, Director of Development Services

Approved by:



Fran David, City Manager

Attachments:

Attachment I: City Council Resolution
Attachment II: Housing Authority Resolution

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced By Council Member _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD APPROVING AMCAL EQUITIES, LLC (OR AN AFFILIATE THERETO) AS SUCCESSOR IN INTEREST TO JMJ DEVELOPMENT, LLC AND MODIFYING CERTAIN CONDITIONS OF APPROVAL ASSOCIATED WITH THE SOUTH HAYWARD BART TRANSIT ORIENTED DEVELOPMENT

WHEREAS, the City of Hayward (the “City”), Eden Housing, Inc. (“Eden”) and JMJ Development LLC (“JMJ”), as the successor in interest to Wittek Development LLC and Montana Property Group LLC, are parties to that certain Owner Participation Agreement (the “OPA”) that governs the development and operation of Phase I of the South Hayward BART TOD Project (the “Phase I Project”), all as more specifically described in the staff report accompanying this resolution (the “Staff Report”); and

WHEREAS, JMJ and AMCAL Equities, LLC (“AMCAL”) have entered into a purchase contract (the “Purchase Agreement”) whereby JMJ intends to transfer its interest in the Phase I Project to AMCAL; and

WHEREAS, the City has approval rights over a transfer by JMJ of its interest in the Phase I Project; and

WHEREAS, on March 17, 2009, upon recommendation of the Hayward Planning Commission, the City Council of the City of Hayward (the “City Council”) approved by Ordinance No. 09-04, a Preliminary Development Plan and associated zone change to a Planned Development Zoning District (Application No. PL-2008-0547 PD) and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (“Mitigated Negative Declaration”) for a mixed used transit oriented development at the South Hayward BART Station (the “TOD Project”) (of which the Phase I Project is a part) to be jointly developed by Eden and JMJ (Eden and JMJ shall hereinafter be referred to as the “Developers”); and

WHEREAS, in 2009, as part of the preliminary plan approval and associated zone change, the City adopted the Conditions of Approval for the South Hayward BART TOD Project (the “Original Conditions of Approval”); and

WHEREAS, the City prepared and approved an Addendum to the Mitigated Negative Declaration in June 2011, which analyzed the environmental effects under CEQA relating to the re-phasing and re-scoping of the TOD Project; and

WHEREAS, on July 26, 2011, the Council approved a modification of the conditions of approval concerning primarily the Phase I Project (the “Revised Conditions of Approval”); and

WHEREAS, on June 28, 2012, the Planning Commission approved the Precise Development Plan and related conditions of approval associated with the Planned Development (PD) Zoning District; and

WHEREAS, on November 15, 2012, the Planning Commission approved conditions of approval in connection with the vesting tentative tract map for the Phase I Project (the "PC Conditions of Approval"); and

WHEREAS, the Developers submitted a request for further modifications to Condition #1.e.xi, Condition #33, and Condition #112(f) of the Revised Conditions of Approval and Condition 100(f) of the PC Conditions of Approval, all as further described in the Staff Report; and

WHEREAS, the Staff Report details certain recommended changes to the Revised Conditions of Approval and the PC Conditions of approval, which recommendations are set forth in Attachment A to this Resolution, incorporated herein by this reference.

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 approve the assumption by AMCAL (or an affiliate thereto) of JMJ's interest in the Phase I Project and to negotiate and execute an OPA assignment and assumption agreement with AMCAL (or its affiliate) and the Developers and to take such other actions and sign such other documents as are necessary to effectuate such assumption, provided that any such documents or agreements are approved by the City Attorney and provided further that AMCAL decides to acquire JMJ's interest pursuant to the Purchase Agreement and the City Manager determines that AMCAL has demonstrated that it will timely implement and perform its obligations under the OPA and related Phase I Project documents.

BE IT FURTHER RESOLVED, that the City Council hereby directs the City Manager to modify Condition #1.e.xi, Condition #33, Condition #112(f) of the Revised Conditions of Approval and Condition 100(f) of the PC Conditions of Approval in a manner that is consistent with Attachment A and the Staff Report, all in forms as may be agreed to by the City Manager and approved by the City Attorney.

BE IT FURTHER RESOLVED, that the City Council authorizes and directs the City Manager, to execute any and all documents and take all reasonable steps which may be necessary to implement such further modified Revised Conditions of Approval and PC Conditions of Approval.

BE IT FURTHER RESOLVED, that the City Council determines that no further CEQA analysis is required because pursuant to 14 California Code of Regulations Section 15162: (1) there have not been substantial changes in the program for the TOD Project that would require major revisions to the Mitigated Negative Declaration and related addendum; (2) there have not been substantial changes with respect to the circumstances under which the program for the Project is being implemented that would require major revisions to the Mitigated Negative Declaration and related addendum; and (3) there has not been the appearance of new information

that was not known and could not have been known as of the date of consideration and approval of the Mitigated Negative Declaration and related addendum that are relevant to the consideration and approval of the Mitigated Negative Declaration and related addendum.

BE IT FURTHER RESOLVED, that this Resolution shall take immediate effect upon its adoption with the exception that the proposed changes to the conditions of approval will take effect upon assumption by AMCAL of JMJ’s interest in the Phase I Project and related documents.

IN COUNCIL, HAYWARD, CALIFORNIA, June 17, 2014

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney for the City of Hayward

ATTACHMENT A

Revised Conditions of Approval No. 1.e.xi will be modified to state:

In the event that Phase 2 building heights exceed 60 feet in height, the following will apply to Phase 2 - Public art features, at a value of 1% of project construction costs, not including transit facilities and infrastructure improvements, shall be required and installed prior to build-out of ~~each~~ the second phase of the project. The design of such feature(s) shall be submitted with the Precise Development Plan for Phase 2, each phase. ~~(The developer of Phase I of the project may contribute a cash amount equal up to 50% of the required Phase I public art value, to be held by the City in an interest bearing account for use in the Phase II development.)~~

Revised Conditions of Approval No. 33 will be modified as follows:

For Phase I, the Developer shall ~~form~~ act in good faith to cause the formation of a Landscape and Lighting District (LLD), prior to the issuance of a certificate of occupancy for any market rate units. The LLD will inspection of the market rate units building, in order to fund the operation and maintenance of the Phase I public park and the walkway public access easement connecting the park and Dixon Street. The details concerning the implementation and cost of such LLD shall be set forth in the Owner Participation Agreement, to be entered into by the Developer and the City. For Phase II - Prior to issuance of building permits, the developer shall form a LLD to fund operation and maintenance of common areas within this phase of the development. Phases I and II - ~~Prior to approval of final maps~~ initial framing inspection for the market rate development, each developer shall provide a \$7,500 deposit to the City to cover the costs associated with formation of each District for each phase. The exact limits of responsibility for the Districts will be determined during processing of the Precise Plan for each phase of the development. The City agrees that it will make good faith efforts to perform whatever City work is required to complete the formation of the LLD within six (6) months following its receipt of the \$7,500 deposit.

Revised Conditions of Approval No. 112(f) and PC Conditions of Approval No. 100(f) will be modified to be consistent with the following:

For the market rate portion of Phase, the City will initially charge the multi-family housing rate of \$9,653 per unit (a total of \$1,988,518) and charge the remaining amounts owed, at the then applicable rate for attached single family residential units, prior to when the first market rate unit is offered for sale. The market rate developer's obligation to pay this remaining amount will be documented in a covenant that will be recorded against the market rate units. The covenant will be released upon receipt of the balance of the park dedication in-lieu fees.

The market rate developer shall receive credit in the amount of \$246,655, the equivalent value of 50% of the acreage of the 30,867 square foot public park

property, because the developer paid for the City's purchase of 50% of the park land.

The market rate developer may receive a credit for private on-site improvements to the extent consistent with the City's park obligations ordinance because ensuring a financially successful market rate project at the South Hayward BART site that will help stimulate other future development in that area is well within the public's interest. Under the current development plans, if the project is built as approved by the City, the developer would be credited \$509,707 for the 31,893 square feet of private recreational improvements.

The market rate developer may be credited amounts spent on park improvements at the adjacent park that are in excess of \$455,000 and as such costs are verified by the City in consultation with Hayward Area Recreation and Park District staff.

HOUSING AUTHORITY OF THE CITY OF HAYWARD

RESOLUTION NO. HA-_____

Introduced by Authority Member _____

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE LOAN DOCUMENTS BETWEEN THE HOUSING AUTHORITY OF THE CITY OF HAYWARD AND EDEN HOUSING, INC., IN CONNECTION WITH THE DEVELOPMENT OF APPROXIMATELY ONE HUNDRED FIFTY ONE UNITS OF AFFORDABLE HOUSING, A PORTION OF THE FIRST PHASE OF THE SOUTH HAYWARD BART TRANSIT ORIENTED DEVELOPMENT PROJECT

WHEREAS, the Housing Authority of the City of Hayward (the “Housing Authority”) was formed to provide decent, safe and sanitary housing in the City of Hayward, and is designated as the housing successor to the dissolved Redevelopment Agency of the City of Hayward (the “Dissolved RDA”) pursuant to California Health and Safety Code Section 34176; and

WHEREAS, the Dissolved RDA and the Housing Authority previously committed to making a loan to Eden Housing, Inc. (“Eden”), in an amount not to exceed \$4,250,000 to fund the development of approximately one hundred fifty-one units of affordable housing (the “Affordable Development”), a portion of the first phase of the South Hayward BART Transit Oriented Development Project (the “Project”); and

WHEREAS, as part of their joint development agreement for the Project, Eden and JMJ Development, LLC (“JMJ”), contracted to split the proceeds of the State's Proposition 1C Infill Infrastructure Grant Funds and agreed that, in the event Eden faces a funding gap for the Affordable Development prior to construction, JMJ and Eden will negotiate in good faith to review Eden's gap and possibly mitigate it by transferring to Eden no more than \$1,000,000 in IIG Grant funds that the parties originally allocated to JMJ; and

WHEREAS, to ensure the feasibility of the Affordable Development and facilitate JMJ’s desire to transfer its interest in the market rate development portion of the Project, Eden and JMJ have requested that the Housing Authority agree to assume JMJ's obligation to potentially backstop Eden's gap, should one occur; and

WHEREAS, the Housing Authority has received Low and Moderate Income Housing Asset funds pursuant to Health and Safety Code Section 34176 (“Housing Asset Funds”), which must be used by the Housing Authority in accordance with Health and Safety Code Section 34176.1; and

WHEREAS, Eden has requested that the Housing Authority possibly loan up to One Million Dollars (\$1,000,000) in Housing Asset Funds to assist in the construction and development of the Affordable Development (the “Additional Loan”); and

WHEREAS, the Housing Authority Additional Loan will be evidenced by a loan agreement, promissory note, deed of trust and a regulatory agreement; or amendments to existing agreements; and

WHEREAS, the Additional Loan would be made to finance the costs of the Affordable Development in order to make the development of the Affordable Development financially feasible and to increase the supply of affordable rental housing for families in the redevelopment project area and the City of Hayward (the “City”); and

WHEREAS, the City prepared and by resolution No. 09-025 approved the Mitigated Negative Declaration (the “Mitigated Negative Declaration”) studying the environmental effects under CEQA for the Project, of which the Affordable Development is a part, and thereby evaluated the environmental effects of the of the Affordable Development; and

WHEREAS, the City prepared an Addendum to that Mitigated Negative Declaration in June 2011 studying the environmental effects under CEQA for the Project; and

WHEREAS, the City Council, acting as the lead agency, considered the environmental effects of the Project as shown in the Mitigated Negative Declaration and related Addendum; and

WHEREAS, the Housing Authority, acting as a responsible agency, considered the environmental effects of the Project as shown in the Mitigated Negative Declaration and Addendum.

NOW THEREFORE, BE IT RESOLVED by the Housing Authority Board that the Recitals above are true and correct and by this reference makes them a part hereof.

BE IT FURTHER RESOLVED, that the Housing Authority Board hereby approves an Additional Loan in an amount not exceed One Million Dollars (\$1,000,000) of Housing Asset Funds to assist the Affordable Development, provided that the disbursement of any Additional Loan funds would be conditioned on the following: (i) the Authority and Eden have met to review Eden's budget for the Affordable Development and a financing gap exists; (ii) Eden has sufficiently established that the Additional Loan funds (or a portion thereof) are necessary to ensure the viability of the Affordable Development; and (iii) any expenditure of the Additional Loan funds will be in conformance with the requirements of Health and Safety Code Section 34167.1.

BE IT FURTHER RESOLVED, that the Housing Authority hereby approves the negotiation and execution by the Executive Director of documents consistent with this resolution evidencing the Additional Loan, including a loan agreement, regulatory agreement, promissory note, deed of trust, and notice of affordability restrictions together with all documents necessary fund the Additional Loan (or portion thereof) 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 Executive Director and approved by the Housing Authority’s General Counsel.

BE IT FURTHER RESOLVED, that the Housing Authority Board determines that no further CEQA analysis is required because pursuant to 14 California Code of Regulations Section 15162: (1) there have not been substantial changes in the program for the Project that would require major revisions to the Mitigated Negative Declaration and Addendum; (2) there have not been substantial changes with respect to the circumstances under which the program for the Project is being implemented that would require major revisions to the Mitigated Negative Declaration and Addendum; and (3) there has not been the appearance of new information that was not known and could not have been known as of the date of consideration and approval of the Mitigated Negative Declaration and Addendum that are relevant to the consideration and approval of the Mitigated Negative Declaration and Addendum;

BE IT FURTHER RESOLVED, that the Housing Authority Board authorizes and directs the Housing Authority’s Executive Director to file a CEQA Notice of Determination with the County Clerk of the County of Alameda pursuant to 14 California Code of Regulations Section 15075.

HAYWARD, CALIFORNIA, June 17, 2014

ADOPTED BY THE FOLLOWING VOTE:

AYES: BOARD MEMBERS:

CHAIR:

NOES: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ATTEST: _____
Secretary of the Housing
Authority of the City of Hayward

APPROVED AS TO FORM:

General Counsel