

CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 07/18/06

AGENDA ITEM 7

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Consolidated Landscaping and Lighting District No. 96-1, Benefit Zones 1 through 11 – Approve the Engineer’s Report and Order the Setting of Collection Rates for FY 2006-07, Form Benefit Zone 11, and Annex Property to Benefit Zone 3

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution:

- (a) Approving the Engineer’s Report;
- (b) Forming Benefit Zone 11 if there is a majority vote in favor of establishing the zone;
- (c) Annexing Property to Benefit Zone 3 if there is a majority vote in favor of the annexation; and
- (d) Ordering the setting of annual collection rates as described herein.

DISCUSSION:

On May 23, 2006, the City Council approved the Preliminary Engineer’s Report and adopted the Resolution of Intention to order the setting of annual collection rates for the Consolidated Landscaping and Lighting District No. 96-1. A part of this action was to conduct property owner elections to form Benefit Zone 11 (Stonebrae) and annex property to Benefit Zone 3 (Prominence).

The City mailed public meeting notices to property owners within all Benefit Zones and held public meetings on June 14 and 15, 2006. Only one property owner from Zone 3 attended the public meetings. Notices and ballots were mailed to all property owners within Benefit Zone 11 (Stonebrae) and one property proposed for annexation to Benefit Zone 3.

Benefit Zone No. 3 (Prominence), is proposed to be expanded to include one new parcel (3 future lots upon recordation of Parcel Map 7890) to be annexed to that Zone. The owner of the property is in concurrence with annexing to the District given the benefits that accrue to the property from Zone No. 3.

Property owner ballots may be mailed back to the City Clerk or may be hand carried to the public hearing. At the conclusion of the public hearing, the ballots will be tabulated to determine if there is property owner support to form Benefit Zone 11 and to annex property to Benefit Zone 3. If a majority of the votes received are in favor of the formation of Zone 11, City Council has the authority to form the Benefit Zone within the Consolidated Landscaping and Lighting District No. 96-1. Similarly, if a majority of the votes received are in favor for annexing property into Benefit Zone 3, City Council has the authority to annex that property into Benefit Zone 3.

Table I below provides general information regarding the number of parcels within each Benefit Zone of the Consolidated Landscaping and Lighting District No. 96-1.

TABLE 1: DESCRIPTION OF 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	152
4	Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk.	1995	Residential	175
5	Soto Rd. & Plum Tree St.	1995	Residential	38
6	Peppertree Park	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
Total				1,471

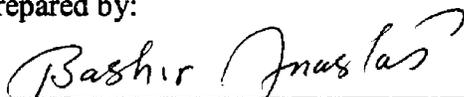
The attached Engineer's Report includes separate budgets for each Benefit Zone. Only the costs for the Engineer's Report, printing, and noticing are shared between the benefit zones. The annual maintenance costs proposed to be levied for fiscal year 2006-07 are as shown in Table 2 below.

TABLE 2: ASSESSMENT RATES PER BENEFIT ZONE					
Zone Number	Name/Location	FY 2005-06 Collection Amount	FY 2006-07 Collection Amount	Base Assessment Amount	CPI Index Adjustment
1	Huntwood Ave. & Panjon St.	\$ 195.00	\$ 205.00	\$ 265.64	No
2	Harder Rd. & Mocine Ave.	\$ 85.00	\$ 93.08	\$ 93.08	No
3	Hayward Blvd. & Fairview Ave.	\$1,023.56	\$1,023.56	\$1,023.56	Yes
4	Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk.	\$ 121.00	\$ 121.00	\$ 121.00	No
5	Soto Rd. & Plum Tree St.	\$ 139.12	\$ 139.12	\$ 139.12	No
6 ⁽¹⁾	Peppertree Park	\$ 2.00	\$ 2.00	\$ 2.61	No
7	Mission Blvd., Industrial Pkwy, & Arrowhead Wy.	\$ 400.00	\$ 400.00	\$ 725.37	Yes
8	Capitola St.	\$ 300.00	\$ 300.00	\$ 518.79	Yes
9	Orchard Ave.	\$ 15.00	\$ 15.00	\$ 138.52	Yes
10	Eden Shores	\$ 460.00	\$ 460.00	\$ 825.99	Yes
11	Stonebrae Country Club (Current Development)	N/A	\$1,173.26	\$1,173.26	Yes
11	Stonebrae Country Club (Future Development)	N/A	\$ 268.00	\$1,173.26	Yes

Notes: (1) Zone 6 is in the industrial district and is assessed based upon street frontage

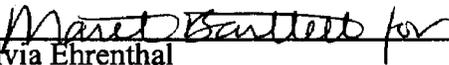
Collection amounts can be less than the base assessment amount for each Benefit Zone if there are surplus funds available from the prior year, which are carried forward. Within Zones Nos. 1, 6, 7, 8, 9 and 10, the proposed collection amounts to be levied are below the base assessment amounts. The proposed collection amounts in Zone Nos. 2, 3, 4, and 5 will be at the maximum base assessment rates.

Prepared by:



Bashir Y. Anastas, P.E.
Development Review Engineer

Recommended by:



Sylvia Ehrenthal
Director of Community and Economic Development

Approved by:



Jesús Armas, City Manager

Exhibits:

- Engineer's Report
- Draft Resolution

7/13/06

FINAL ENGINEER'S REPORT

CITY OF HAYWARD

**LANDSCAPE & LIGHTING
ASSESSMENT DISTRICT No. 96-1**

Fiscal Year 2006-07



July 18, 2006

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CITY COUNCIL MEMBERS AND CITY STAFF

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City Clerk

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

Bashir Anastas, P.E.
Engineer of Work

ENGINEER'S REPORT

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

FY 2006-07

The undersigned, acting of 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 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. The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: _____

By: _____

Bashir Anastas, P.E.
RCE No. 48748

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 _____, 2006.

Angelina Reyes
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 _____, 2006.

Angelina Reyes
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 _____, 2006.

By: _____

Bashir Anastas, P.E.
RCE No. 48748

**SECTION I
INTRODUCTION**

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

FISCAL YEAR 2006-07

Background Information

In 1996 there were six (6) separate Landscape & Lighting Districts throughout the City of Hayward. On May 7, 1996, Landscape & 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. In 1998, 1999, 2000, and 2003, Benefit Zones No. 7, 8, 9 and 10 were subsequently annexed to 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 Landscape 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 ten (10) benefit zones.

TABLE 1: DESCRIPTION OF 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	152
4	Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk.	1995	Residential	175
5	Soto Rd. & Plum Tree St.	1995	Residential	38
6	Peppertree Park	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
Total				1,471

Benefit Zone No. 1 collection rate is being increased from \$195.00/yr to \$205.00/yr, which is still below the base assessment rate per parcel of \$265.64/yr. The increased collection rate is necessary to keep up with inflationary costs and to keep a healthy operating and capital reserve balance.

Benefit Zone No. 2 collection rate is being increased from \$85.00/yr to \$93.08/yr, which is at the base assessment rate per parcel of \$93.08/yr. The increased collection rate is necessary to keep a healthy operating and capital reserve balance.

In 1992, Benefit Zone No. 3 was established and the base assessment rate was set at \$328.82 per single-family parcel. In Fiscal Year 2003-04, 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 2005-06 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 2005-06 the annual assessment rate per single-family property parcel was increased from \$328.82 to \$1,023.56. This increase in the base assessment rate consists of two components; \$694.52/yr. for maintenance and \$329.04/yr. for the construction of capital improvements. The base assessment amount for constructing the capital improvements will only be charged for three (3) years. In FY 2008-09 the base assessment increase associated with the construction of capital improvements will be eliminated. Each fiscal year thereafter, commencing in FY 2008-09, the base assessment rate for the maintenance component, \$694.52 may be increased annually based upon the prior year's change in the Consumer Price Index for the San Francisco-Oakland-San Jose Area.

In 1995, Benefit Zone No. 4 was established and the base assessment rate was set at \$121.00 per single-family parcel. This base assessment rate does not allow for an annual increase based upon the prior year's change in the Consumer Price Index. In Fiscal Year 2002-03, the base assessment amount for Benefit Zone No. 4 was proposed to be modified to allow for an annual adjustment based upon the change in the Consumer Price Index each fiscal year. The proposed increase in the base assessment was opposed by a majority of the property owners who voted and thus the assessment formula for Benefit Zone No. 4 could not be modified. The City has reduced the level of service within this benefit zone to coincide with the projected revenue to be received.

In 1995, Benefit Zone No. 5 was established and the base assessment rate was set at \$139.12 per single-family parcel. This base assessment rate does not allow for an annual increase based upon the prior year's change in the Consumer Price Index. In Fiscal Year 2002-03, the base assessment amount for Benefit Zone No. 5 was proposed to be increased \$60.00 per single-family parcel and to allow for future increases based upon the change in the Consumer Price Index. The proposed increase in the base assessment was opposed by a majority of the property owners who voted and thus the assessment revenue for Benefit Zone No. 5 could not be increased. The City has reduced the level of service within this benefit zone to coincide with the projected revenue to be received.

Benefit Zones No. 6 through 10 will be assessed at the same rate as in FY 2005-06 but below their base assessment amount. The current assessment rates for these zones are sufficient for maintaining services levels and keeping a healthy operating and capital reserve balance.

Proposition 218 Compliance

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

These new procedures stipulate that even if assessments are initially exempt from Proposition 218, future increases in assessments must comply with the provisions of Proposition 218. However, if the

increase in assessment was anticipated in the assessment formula (e.g., to reflect the Consumer Price Index or an assessment cap) then the City would be in compliance with the provisions of Proposition 218 if assessments did not exceed the assessment formula.

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

For FY 2006-07, the City is proposing to annex one (1) parcel into Benefit Zone No. 3 which will eventually be subdivided into three (3) single-family parcels.¹ In addition, the City is proposing to form the Stonebrae Country Club development (Benefit Zone No. 11) and annex it into the Landscape & Lighting Assessment District No. 96-1. The development approval for the property which constitutes Benefit Zone No. 11 requires the formation of a financing mechanism for improvements within the development and the owner(s) have collaborated with City staff to develop the budget for the Benefit Zone. Benefit Zone No. 11 (Stonebrae Country Club) will eventually be subdivided into approximately 556 single-family residential parcels when it is built out.

In order to comply with Proposition 218, the City will conduct separate mailed ballot elections for each Benefit Zone in order to annex the one (1) parcel into Benefit Zone No. 3 and to annex Benefit Zone No. 11 (Stonebrae Country Club) into Landscape & Lighting Assessment District No. 96-1. The notice and ballot that will be mailed to each affected property owner in proposed Zone 11 and Zone 3 and will ask for their approval to:

- Annex into the District and set the maximum annual base assessment amount which can be levied, and
- Authorize the maximum annual base assessment amount to be increased annually based upon the prior years change in the Consumer Price Index for the San Francisco Bay Area.

If a majority of the ballots returned within Benefit Zone 11 approve, the City Council may annex the territory into Landscape & Lighting Assessment District No. 96-1 and assess the parcels. Similarly, if the ballot for the parcel to be annexed into Zone 3 approves, the City Council may annex it into Landscape & Lighting Assessment District No. 96-1.

Below is a listing of the collection rate levied in FY 2005-06, the proposed collection rate for FY 2006-07 and the base maximum assessment rate for each benefit zone.

¹ Zone 3 has 152 parcels currently. If the annexation of one additional parcel is approved, that parcel will be assessed at the rate of three units because it has a parcel map approval pending to divide the property and create two additional parcels. The assessment roll shows 153 parcels with one parcel being assessed the equivalent of 3 units.

TABLE 2: ASSESSMENT RATES PER BENEFIT ZONE					
Zone Number	Name/Location	FY 2005-06 Assmt. Rates	FY 2006-07 Assmt. Rates	Base Assessment Amount	CPI Index Adjustment
1	Huntwood Ave. & Panjon St.	\$195.00	\$205.00	\$265.64	No
2	Harder Rd. & Mocine Ave.	\$85.00	\$93.08	\$93.08	No
3	Hayward Blvd. & Fairview Ave.	\$1,023.56	\$1,023.56	\$1,023.56	Yes
4	Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk.	\$121.00	\$121.00	\$121.00	No
5	Soto Rd. & Plum Tree St.	\$139.12	\$139.12	\$139.12	No
6 ⁽¹⁾	Peppertree Park	\$2.00	\$2.00	\$2.61	No
7	Mission Blvd., Industrial Pkwy. & Arrowhead Wy.	\$400.00	\$400.00	\$725.37	Yes
8	Capitola St.	\$300.00	\$300.00	\$518.79	Yes
9	Orchard Ave.	\$15.00	\$15.00	\$138.52	Yes
10	Eden Shores	\$460.00	\$460.00	\$825.99	Yes
11	Stonebrae Country Club (Current Development)	N/A	\$1,173.26	\$1,173.26	Yes
11	Stonebrae Country Club (Future Development)	N/A	\$268.00	\$1,173.26	Yes

Notes:

⁽¹⁾ 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 collection rate for each assessable lot or parcel.

The City of Hayward is proposing to hold a public hearing on July 18, 2006, 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 forming Benefit Zone 11, annexing property into Benefit Zone 3 and setting the annual collection rates as originally proposed or as modified. Following the adoption of this resolution, the final assessor's roll will be prepared and filed with the County Auditor's office to be included on the FY 2006-07 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
LANDSCAPE & LIGHTING ASSESSMENT DISTRICT No. 96-1**

FISCAL YEAR 2006-07

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. 06-_____, preliminarily approving the Engineer's Report, as adopted by the City Council of the City of Hayward, on May 23, 2006, and in connection with the proceedings for:

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

Herein after referred to as the "Assessment District", I, Bashir Anastas, 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 DIAGRAM

This part incorporates by reference a diagram of the Assessment District showing the exterior boundaries of the District, the boundaries of the eleven (11) 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 2006-07. 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
LANDSCAPE & LIGHTING ASSESSMENT DISTRICT No. 96-1
FISCAL YEAR 2006-07**

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

Landscaping Facilities

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

Street Lighting Facilities

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

Open Space Facilities

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

Park/Trail Facilities

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

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

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

Formed: November 13, 1990
Resolution Number: 90-256
30 parcels

- 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.
- For FY 2006-07, the collection rate will be increased from \$195.00 to \$205.00 per parcel to ensure healthy reserves are maintained. If in future years, there is a need for additional funds the collection rate may be increased up to their base assessment amount, which is \$265.64 per parcel. This base assessment amount cannot be increased annually based upon the change in the Consumer Price Index. Future increases in collection rate up to the base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

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

Formed: July 25, 1991
Resolution Number: 91-137
85 parcels

- 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 2006-07, the collection rate will be increased from \$85.00 to the base assessment amount of \$93.08 per parcel to ensure healthy reserves are maintained. This base assessment amount cannot be increased annually based upon the change in the Consumer Price Index.

Future increases in collection rate up to the base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

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

Formed: June 23, 1992
Resolution Number: 92-174
155 parcels²

- Surface maintenance of the street side of a mile-long masonry wall along Hayward Boulevard and Fairview Avenue. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;
- The ownership and responsibility of the masonry wall as a structure remains with the individual property owners;
- Landscaping and irrigation includes approximately one mile of landscaped frontage along Hayward Boulevard and Fairview Avenue with significant slope areas along the street; and
- In addition, several open space areas within the tract are maintained, however, there are no funds budgeted for maintenance of the non-irrigated, non-landscaped open space areas.
- In 1992, Benefit Zone No. 3 was established and the base assessment rate was set at \$328.82 per single-family parcel. In Fiscal Year 2003-04, 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 various 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 2005-06 the City conducted a mailed ballot election to determine if there is sufficient property owner support to increase assessments. The assessment increase was approved by a majority of the voters who voted. Therefore, in FY 2005-06 the annual assessment rate per single-family property parcel was increased from \$328.82 to \$1,023.56. This increase in the base assessment rate consists of two components; \$694.52/yr. for maintenance and \$329.04/yr. for the construction of capital improvements. The base assessment amount for constructing the capital improvements will only be charged for three (3) years. In FY 2008-09 the base assessment increase associated with the construction of capital improvements will be eliminated. Each fiscal year thereafter, commencing in FY 2008-09, the base assessment rate for the maintenance component, \$694.52 may be increased annually based upon the prior years change in the Consumer Price Index for the San Francisco-Oakland-San Jose Area.

² Zone 3 has 152 parcels currently. If the annexation of one additional parcel is approved, that parcel will be assessed at the rate of three units because it has a parcel map approval pending to divide the property and create two additional parcels. The assessment roll shows 153 parcels with one parcel being assessed the equivalent of three units.

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

FY2005-06: 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 all 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.

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

FY 2006-07: Open Area South of 28525 Fox Hollow Drive

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

FY 2007-08: Hayward Blvd., Fairview Drive & Barn Rock Drive

Weeds and dead trees and foliage will be removed. The soil will be amended and prepared for new trees and plants. Trees, bushes and ground cover will be 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 will be used. The existing sprinkler system will be used, repaired and/or upgraded as necessary.

- 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 is being removed from Benefit Zone No. 3 and is being annexed into the Stonebrae LLAD Benefit Zone which is being created this year (Benefit Zone No. 11). The Stonebrae developer will modify 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.

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

Formed: May 23, 1995
Resolution Number: 95-96
175 parcels
Annexed Tract 6682: January 23, 1996

- 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 9 drainage inlets, and 675 feet of 6-inch PVC drain pipe adjacent to the pathway;
- Approximately 50 linear feet of 4-foot-high black vinyl clad chain link fencing at two locations between Ward Creek and the asphalt pathway;
- A 14-foot-wide entry gate structure, an 8-foot-wide swing gate, and a 12-foot-wide swing gate;
- 32 linear feet of 8-foot-wide prefabricated steel bridge with wood deck; and
- Pedestrian access between Rosecliff Lane and Ward Creek Pathway.
- An adjustment to the base assessment was proposed in FY 2002-03 because expenditures were exceeding revenues. The proposed increase in the base assessment was not supported by a majority of the property owners who voted; therefore, the assessment revenue for this benefit zone could not be increased. The City has reduced the level of landscape maintenance within this benefit zone to coincide with the projected revenue to be received. For example, dead plants are not being replaced and irrigation repairs are taking longer to be performed. The proposed collection rate in FY 2006-07 for Zone 4 is \$121.00, which is the base assessment amount.

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

Formed: May 23, 1995
Resolution Number: 95-97
38 parcels
Annexed Tract 6754: October 17, 1995

- Surface maintenance of the street side of a masonry wall along Soto Road. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;
 - The ownership and responsibility of the masonry wall as a structure remains with the individual property owners;
 - Landscaping within the 10-foot-wide setback area between the masonry wall and the sidewalk (approximately 360 lineal feet);
 - Landscaping and appurtenances within the 5.5-foot-wide planter strip between the sidewalk and the curb return areas across the frontage of Tract 6641;
 - The curb return areas at the intersection of Soto Road and Plum Tree Street;
 - Landscaping and appurtenances located within the 10-foot-wide setback area between the masonry wall and the sidewalk (approximately 440 lineal feet); and
 - Landscaping and appurtenances within the 5.5-foot-wide planter strip between the sidewalk and the curb across the Soto Road frontage of Final Map Tract 6754.
 - An adjustment to the base assessment was proposed in FY 2002-03 because expenditures were exceeding revenues. The adjustment would have provided for a one-time \$60.00 increase per single-family parcel and the ability to increase the base assessment each subsequent fiscal year based upon the change in the Consumer Price Index. The proposed assessment increase was not supported by a majority of the property owners who voted; therefore, the assessment revenue for this benefit zone could not be increased. The City has reduced the level of service within this benefit zone to coincide with the projected revenue to be received. Dead plants are not being replaced, landscape maintenance personnel visit the site only once a week rather than twice, and water usage has been reduced by 20 percent. The proposed collection rate in FY 2006-07 for Zone 5 is \$139.12, which is the base assessment amount.
- **Zone 6 (Peppertree Park)** – Tracts 4420 & Lot 2 of Tract 3337

Formed: May 11, 1982
Resolution Number: 82-160
11 parcels

- Landscaping and decorative paving within the median islands in San Clemente Street between Zephyr Avenue and San Antonio Street; and
- The identification sign, fountain, lighting, and landscaping in the main entrance median at San Clemente Street and San Antonio Street.

- For FY 2006-07 the collection rate will remain at \$2.00 per linear foot due to the fact that there are sufficient revenues in the reserve funds. If in future years, there is a need for additional funds, the collection rate may be increased up to their base assessment amount, which is \$2.61 per linear foot. This base assessment amount cannot be increased annually based upon the change in the Consumer Price Index. Future increases in collection rate up to the base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

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

Formed: July 28, 1998
Resolution Number: 98-153
348 parcels

- Planting, irrigation, the multi-use pathway, landscape lighting and other associated improvements located within the landscape easements and street right-of-way along Mission Boulevard and Industrial Parkway;
- Medians and abutting landscaping along the Arrowhead Way entrance roads and traffic circles, including the bridge structure, signs, and decorative entry paving;
- Bus shelters;
- Walls and fences that face Mission Boulevard, Industrial Parkway, the Arrowhead Way entrance roads, the golf course and along the Line N drainage channel (including graffiti removal);
- Specialty street lighting; and
- A neighborhood park.
- For FY 2006-07, the collection rate will remain at \$400.00 per parcel due to the fact that there are sufficient revenues in the reserve funds. If in future years there is a need for additional funds, the collection rate may be increased up to their base assessment amount, which is \$725.37 per parcel. This base assessment amount will be increased annually based upon the prior years change in the Consumer Price Index. Future increases in the collection rate up to the base 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

- 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 2006-07 the collection rate will remain at \$300.00 per parcel due to the fact that there are sufficient revenues in the reserve funds. If in future years, there is a need for additional funds, the collection rate may be increased up to their base assessment amount, which is \$518.79 per parcel. This base assessment amount will be increased annually based upon the prior years change in the Consumer Price Index. Future increases in the collection rate up to the base 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

- 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;
- The ownership and responsibility of the wall as a structure remains with the individual property owners.
- For FY 2006-07 the collection rate will remain at \$15.00 per parcel due to the fact that there are sufficient revenues in the reserve funds. If in future years, there is a need for additional funds, the collection rate may be increased up to their base assessment amount, which is \$138.52 per parcel. This base assessment amount will be increased annually based upon the prior years change in the Consumer Price Index. Future increases in the collection rate up to the base 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

- A five (5) acre park which includes landscaping and irrigation and play ground equipment within the development;
- Medians, park strips and parkway landscaping and irrigation within the development;
- Surface maintenance of the decorative concrete and sound walls along the perimeter and within the tract. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;

- The ownership and responsibility for the walls as structures remains with the individual property owners.
- For FY 2006-07 the collection rate will remain at \$460.00 per parcel due to the fact that there are sufficient revenues in the reserve funds. If in future years, there is a need for additional funds, the collection rate may be increased up to their base assessment amount, which is \$825.99 per parcel. This base assessment amount will be increased annually based upon the prior years change in the Consumer Price Index. Future increases in the collection rate up to the base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.
- As a condition of approval for the subdivision, the developer was required to provide prospective homebuyers with a written disclosure of the special assessment district, including an estimate of the annual assessment. This disclosure is to be on brightly colored paper.
- **Zone 11 (Stonebrae Country Club)** – Tracts No. 5354

Formed: July 18, 2006
Resolution Number: 06-_____
556 parcels

- Median, park strips, parkway landscaping and irrigation improvements and multi-use pathway improvements along Fairview Avenue, Garin Park Lane, Hayward Boulevard, Stonebrae County Club Drive, between the entry point to the development and the City water tank;
- Slope maintenance along Garin Park Lane, Fairview Avenue and Hayward Boulevard;
- Decorative walls facing Fairview Avenue and Hayward Boulevard but not including the view fence of the lots along Fairview Ave. This maintenance includes painting, cleaning, graffiti removal, and replacement of the improvements if needed;
- Street and Landscape lighting along Fairview Avenue, Garin Park Lane, Hayward Boulevard; and along the frontage of the school at the intersection of Hayward Blvd/Stonebrae Country Club Drive and Carden Lane. This maintenance includes electrical costs, and replacement of the improvements if needed;
- As a condition of approval for the subdivision, the developer was required to provide prospective homebuyers with a written disclosure of the special assessment district, including an estimate of the annual assessment. This disclosure is to be on brightly colored paper;
- As part of the roadway modifications for the Stonebrae Development, the landscaped corner at Hayward Boulevard and Fairview Boulevard, currently 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 is

proposed to be removed from Benefit Zone No. 3 and annexed into the Stonebrae Benefit Zone which is being created this year (Benefit Zone No. 11). The Stonebrae developer will modify 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 at least two (2) phases. The current development phase will be constructed first and consist of the 214 proposed single-family parcels located at the entrance to the development. The future development phase(s) will consist of the remaining 342 proposed single-family parcels. For FY 2006-07 the base assessment rate per parcel will be set at \$1,173.26/yr. This base assessment rate will be increased annually based upon the prior years change in the Consumer Price Index. The projected FY 2006-07 assessment budget will be spread to the current development consisting of 214 single-family parcels first up to their base assessment rate of \$1,173.26. If additional revenue is needed the remaining 342 single-family parcels located in the future development phase(s) will be assessed. In FY 2006-07, the total revenue needed to operate and maintain the facilities is \$342,733.64 The FY 2006-07 collection rate will be \$1,173.26/yr. per parcel in the current phase and \$268.00/yr. for parcels in the future phase(s).

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 and maintenance and servicing of the District can also be included.

The estimated Fiscal Year 2006-07 expenditures for the proposed District are itemized by zone as follows:

Zone Number	Name/Location	Estimated Revenue for 2006-07
1	Huntwood Ave. & Panjon St.	\$6,150.00
2	Harder Rd. & Mocine Ave.	\$7,911.80
3	Hayward Blvd. & Fairview Ave.	\$158,651.80
4	Pacheco W y., Stratford Rd, Russ Ln, Ward Crk.	\$21,175.00
5	Soto Rd. & Plum Tree St.	\$5,286.56
6	Peppertree Pk.	\$9,988.00
7	Mission Blvd., Industrial Pkwy, & Arrowhead W y.	\$139,200.00
8	Capitola St.	\$7,200.00
9	Orchard Ave.	\$1,110.00
10	Eden Shores	\$245,640.00
11	Stonebrae Country Club	\$342,730.03
	TOTAL:	\$945,043.19

For a detailed breakdown on the operation, maintenance and servicing costs for each Benefit Zone, please 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 Landscape & Lighting District No. 96-1 is completely within the boundaries of the City of Hayward. The Assessment Diagram which shows the eleven (11) 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 Landscape 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]."

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

ZONE CLASSIFICATION

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

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

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

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

This zone was established in 1990 and the maximum assessment rate was set at \$265.64 per single-family residential parcel with no automatic allowance for a Consumer Price Index (CPI) increase each fiscal year. The special benefit derived by the individual lots is indistinguishable from each other. Therefore, each of the 30 parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2006-07, the total revenue needed to operate and maintain the facilities within the zone is \$6,150.00. Since the amount needed to operate and maintain facilities in this zone remains below the base assessment amount, the following amount should be collected:

\$205.00 per parcel

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

This zone was established in 1991 and the maximum assessment rate was set at \$93.08 per single-family residential parcel with no automatic allowance for CPI increase each fiscal year. The total revenue needed to operate and maintain the facilities within the zone for FY 2006-07 is \$7,911.80. 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. Since the collection rate is limited to the 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 base assessment rate was set at \$328.82 per single-family parcel. In Fiscal Year 2003-04, 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 various 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 2005-06 the City conducted a mailed ballot election to determine if there is sufficient property owner support to increase assessments. The assessment increase was approved by a majority of the voters who voted. Therefore, in FY 2005-06 the annual assessment rate per single-family property parcel was increased from \$328.82 to \$1,023.56. This increase in the base assessment rate consists of two components; \$694.52/yr. for maintenance and \$329.04/yr. for the construction of capital improvements. The base assessment amount for constructing the capital improvements will only be charged for a three (3) years. In FY 2008-09 the base assessment increase associated with the construction of capital improvements will be eliminated. Each fiscal year thereafter, commencing in FY 2008-09, the base assessment rate for the maintenance component, \$694.52 may be increased annually based upon the prior years change in the Consumer Price Index for the San Francisco-Oakland-San Jose Area.

The special benefit derived by the individual lots is indistinguishable from each other. Therefore, each of the 155 parcels³ shall be apportioned an equal share of the total assessment for this zone. The total revenue needed to operate and maintain the facilities within the zone for FY 2006-07 is \$158,651.80. Therefore, each of the 155 parcels shall be apportioned an equal share of the total assessment for this zone. Since the collection rate is limited to the base assessment amount, the following amount should be collected:

\$1,023.56 per parcel

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

This zone was established in 1995 and the maximum assessment rate was set at \$121.00 per single-family residential parcel with no automatic allowance for CPI increase each fiscal year. In 2002, the City sent out a notice and ballot to each affected property owner requesting their approval to modify their maximum assessment rate to include an allowance for an automatic increase that reflects the prior year's change in the Consumer Price Index. The results of the ballot tabulation revealed that there was a majority protest received, weighted by assessment amount, and therefore, the adjustment to the assessment formula was not imposed. The City has reduced the level of service within this benefit zone to coincide with the projected revenue to be received. The special benefit derived by the individual lots 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 2006-07, the total revenue available to operate and maintain the facilities within the zone is \$21,175.00. Since the collection rate is limited to the 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 rate was set at \$139.12 per single-family residential parcel with no automatic allowance for CPI increase each fiscal year. In 2002, the City sent out a notice and ballot to each affected property owner requesting their approval to increase the maximum assessment rate from the current base amount of \$139.12 to \$199.12 and include an allowance for an automatic increase reflecting the prior year's change in the CPI each subsequent fiscal year. The results of the election revealed that there was a majority protest received, and therefore, the adjustment to the assessment formula was not imposed for FY 2002-03. 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 lots is indistinguishable from each other. In FY 2006-07, the total revenue available to operate and maintain the facilities within the zone is \$5,286.56. Therefore, each of the 38 parcels shall be apportioned an equal share of the total assessment for this zone. Since the collection rate is limited to the base assessment amount, the following amount should be collected:

\$139.12 per parcel

³ Zone 3 has 152 parcels currently. If the annexation of one additional parcel is approved, that parcel will be assessed at the rate of three units because it has a parcel map approval pending to divide the property and create two additional parcels. The assessment roll shows 153 parcels with one parcel being assessed the equivalent of three units.

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

This zone was established in 1982 and the maximum assessment rate was set at \$2.61 per linear foot with no automatic allowance for CPI increase each fiscal year. The costs are spread to each parcel in proportion to the San Clemente Street frontage length to the overall San Clemente Street frontage within the district. The street frontage is based on the actual linear length of each parcel at the street right-of-way line. The overall street frontage is 4,994 feet from the San Clemente P.C.R. at Zephyr Avenue to the intersection of the northerly boundary of Lot 17 and San Clemente Street and the northerly boundary of Lot 2, Tract 3337. In FY 2006-07, the total revenue needed to operate and maintain the facilities within the zone is \$9,988.00. Since the amount needed to operate and maintain facilities in this zone remains below the base assessment amount, the following amount should be collected:

\$2.00 per linear foot

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

This zone was established in 1998 and the maximum assessment rate was set at \$597.57 per parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for April 1, 1999. On April 1, 1999, the CPI Index was set at 168.8. The April 1, 2006 CPI was 204.9, which translates to a 21.39% (204.9/168.8) increase since the base year. Therefore, the base assessment of \$725.37 per parcel could be assessed in FY 2006-07. 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 2006-07, the total revenue needed to operate and maintain the facilities within the zone is \$139,200.00. Since the amount needed to operate and maintain facilities in this zone remains below the base assessment amount, the following amount should be collected:

\$400.00 per parcel

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

This zone was established in 1999 and the maximum assessment rate was set at \$442.83 per parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for April 1, 2000. On April 1, 2000 the CPI Index was set at 174.9. The April 1, 2006 CPI was 204.9 which translates to a 17.15% (204.9/174.9) increase since the base year. Therefore, the base assessment of \$518.79 per parcel could be assessed in FY 2006-07. 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 2006-07, the total revenue needed to operate and maintain the facilities within the zone is \$7,200.00. Since the amount needed to operate and maintain facilities in this zone remains below the base assessment amount, the following amount should be collected:

\$300.00 per parcel

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

This zone was established in 2000 and the maximum assessment rate was set at \$125.00 per parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for April 1, 2001. On April 1, 2001, the CPI Index was set at 184.9. The April 1, 2006 CPI was 204.9 which translates to a 10.82% (204.9/184.9) increase since the base year. Therefore, the base assessment of \$138.52 per parcel could be assessed in FY 2006-07. 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 2006-07, the total revenue needed to operate and maintain the facilities within the zone is \$1,110.00. Since the amount needed to operate and maintain facilities in this zone remains below the base assessment amount, the following amount should be collected:

\$15.00 per parcel

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

This zone was established in June 2003 and the maximum assessment rate was set at \$775.00 per parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for July 1, 2003. On July 1, 2003, the CPI Index was set at 192.25. The April 1, 2006 CPI was 204.9 which translates to a 6.58% (204.9/192.25) increase since the base year. Therefore, the base assessment of \$816.32 per parcel could be assessed in FY 2006-07. 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 2006-07, the total revenue needed to operate and maintain the facilities within the zone is \$157,500.00. Since the amount needed to operate and maintain facilities in this zone remains below the base assessment amount, the following amount should be collected:

\$460.00 per parcel

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

This zone was established in July 2006 and the maximum assessment rate was set at \$1,173.26/yr. for each proposed single-family parcel with an automatic allowance for a CPI increase annually from April 1st to March 31st of each year. The base year for calculating CPI increases was set for July 1, 2006. The project is proposed to be developed in two (2) phases. The current development phase will be constructed first and consist of the 214 proposed single-family parcels located at the entrance to the development. The future development phase will consist of the remaining 342 proposed single-family parcels. The projected FY 2006-07 assessment budget will be spread to the current development consisting of 214 single-family parcels first up to their base assessment rate of \$1,173.26. If additional revenue is needed the remaining 342 single-family parcels located in the future development phase will then be assessed proportionately up to their base assessment amount of \$1,173.26. In FY 2006-07, the total revenue needed to operate and maintain the facilities is \$342,733.64. Therefore, each of the 214 parcels located within the current development will be assessed \$1,173.26 and the remaining 342 single-family parcels will be assessed \$268.00 as shown below:

\$1,173.26 per parcel (Current Development)
\$268.00 per parcel (Future Development)

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 Landscape & Lighting 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 2006-07 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

Zone 1 - Fiscal Year 2006-07 Huntwood Avenue & Panjon Street	
	FY 2006-07 Budget
<u>I. MAINTENANCE COSTS</u>	
(a) Irrigation water	\$1,000.00
(b) Electrical energy	\$250.00
(c) Landscaping maintenance including debris removal, weeding, trimming, and spraying	\$2,500.00
(d) Masonry wall (surface maintenance)	\$500.00
Total Maintenance Cost	\$4,250.00
<u>II. INCIDENTAL COSTS</u>	
(a) Administration (City)	\$1,800.00
(b) Engineer's Report, preparation of documents, printing, and advertising	\$1,175.00
(c) County Collection Charges (1.7%)	\$104.55
Total Incidental Costs	\$3,079.55
<u>III. RESERVES</u>	
(a) Operating Reserves (50% of Maintenance & Incidentals) ¹	\$3,664.78
(b) Capital Reserves ²	\$4,857.31
Total Reserve Costs	\$8,522.08
<u>IV. TOTAL ASSESSABLE COSTS</u>	
Less Surplus from prior fiscal year	<u>\$9,701.63</u>
NET ASSESSMENT COLLECTION FOR FISCAL YEAR	\$6,150.00
Number of Assessable Parcels	30
Collection per Parcel	\$205.00
Base Assessment per Parcel	\$265.64
<u>NOTES:</u>	
<p>⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.</p> <p>⁽²⁾ In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.</p>	

Zone 2 - Fiscal Year 2006-07 Harder Road & Mocine Avenue	
	FY 2006-07 Budget
<u>I. MAINTENANCE COSTS</u>	
(a) Irrigation water	\$1,200.00
(b) Electrical energy	\$150.00
(c) Landscaping maintenance including debris removal, weeding, trimming, and spraying	\$3,500.00
(d) Masonry wall (surface maintenance)	\$300.00
Total Maintenance Cost	\$5,150.00
<u>II. INCIDENTAL COSTS</u>	
(a) Administration (City)	\$1,800.00
(b) Engineer's Report, preparation of documents, printing, and advertising	\$1,200.00
(c) County Collection Charges (1.7%)	\$134.50
Total Incidental Costs	\$3,134.50
<u>III. RESERVES</u>	
(a) Operating Reserves (50% of Maintenance & Incidentals) ¹	\$4,142.25
(b) Capital Reserves ²	\$4,658.95
Total Reserve Costs	\$8,801.20
<u>IV. TOTAL ASSESSABLE COSTS</u>	
Less Surplus from prior fiscal year	<u>\$9,173.91</u>
NET ASSESSMENT COLLECTION FOR FISCAL YEAR	\$7,911.80
Number of Assessable Parcels	85
Collection per Parcel	\$93.08
Base Assessment per Parcel	\$93.08
NOTES:	
<p>⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.</p> <p>⁽²⁾ In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.</p>	

Zone 3 - Fiscal Year 2006-07 Hayward Boulevard & Fairview Avenue	
	FY 2006-07 Budget
<u>I. MAINTENANCE COSTS</u>	
(a) Irrigation water	\$15,000.00
(b) Electrical energy	\$1,500.00
(c) Landscaping maintenance including debris removal, weeding, trimming, and spraying	\$45,000.00
(d) Masonry wall (surface maintenance)	\$500.00
Total Maintenance Cost	\$62,000.00
<u>II. CAPITAL IMPROVEMENT COSTS</u>	
(A) Capital Facilities - Phase II	\$40,000.00
Total Capital Improvement Cost	\$40,000.00
<u>III. INCIDENTAL COSTS</u>	
(a) Administration (City)	\$12,000.00
(b) Engineer's Report, preparation of documents, printing, and advertising	\$4,300.00
(c) County Collection Charges (1.7%)	\$2,697.08
Total Incidental Costs	\$18,997.08
<u>IV. RESERVES</u>	
(a) Operating Reserves (50% of Maintenance & Incidentals) ¹	\$40,498.54
(b) Capital Reserves ²	\$58,874.49
Total Reserve Costs	\$99,373.03
<u>IV. TOTAL ASSESSABLE COSTS</u>	
Less Surplus from prior fiscal year	<u>\$61,718.31</u>
NET ASSESSMENT COLLECTION FOR FISCAL YEAR	\$158,651.80
Number of Assessable Parcels	155
Collection per Parcel	\$1,023.56
Base Assessment per Parcel	\$1,023.56
<u>NOTES:</u>	
<p>⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.</p> <p>⁽²⁾ In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.</p> <p>⁽³⁾ Zone 3 has 152 parcels currently. If the annexation of one additional parcel is approved, that parcel will be assessed at the rate of three units because it has a parcel map approval pending to divide the property and create two additional parcels. The assessment roll shows 153 parcels with one parcel being assessed the equivalent of three units.</p>	

Zone 4 - Fiscal Year 2006-07 Pacheco Way, Stratford Road, Ruus Lane, Ward Creek	
	FY 2006-07 Budget
<u>I. MAINTENANCE COSTS</u>	
(a) Irrigation water	\$3,000.00
(b) Electrical energy	\$800.00
(c) Landscaping maintenance including debris removal, weeding, trimming, and spraying	\$12,000.00
(d) Masonry wall (surface maintenance)	\$500.00
(e) Drainage and Access Facilities	\$1,100.00
Total Maintenance Cost	\$17,400.00
<u>II. INCIDENTAL COSTS</u>	
(a) Administration (City)	\$2,300.00
(b) Engineer's Report, preparation of documents, printing, and advertising	\$1,250.00
(c) County Collection Charges (1.7%)	\$359.98
Total Incidental Costs	\$3,909.98
<u>III. RESERVES</u>	
(a) Operating Reserves (50% of Maintenance & Incidentals) ¹	\$10,654.99
(b) Capital Reserves ²	\$42,015.32
Total Reserve Costs	\$52,670.31
<u>IV. TOTAL ASSESSABLE COSTS</u>	
	\$73,980.28
Less Surplus from prior fiscal year	\$52,805.28
NET ASSESSMENT COLLECTION FOR FISCAL YEAR	\$21,175.00
Number of Assessable Parcels	175
Collection per Parcel	\$121.00
Base Assessment per Parcel	\$121.00
NOTES:	
⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.	
⁽²⁾ In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.	

Zone 5 - Fiscal Year 2006-07 Soto Road & Plum Tree Street	
	FY 2006-07 Budget
<u>I. MAINTENANCE COSTS</u>	
(a) Irrigation water	\$1,200.00
(b) Electrical energy	\$225.00
(c) Landscaping maintenance including debris removal, weeding, trimming, and spraying	\$1,700.00
(d) Masonry wall (surface maintenance)	\$300.00
Total Maintenance Cost	\$3,425.00
<u>II. INCIDENTAL COSTS</u>	
(a) Administration (City)	\$300.00
(b) Engineer's Report, preparation of documents, printing, and advertising	\$1,250.00
(c) County Collection Charges (1.7%)	\$89.87
Total Incidental Costs	\$1,639.87
<u>III. RESERVES</u>	
(a) Operating Reserves (50% of Maintenance & Incidentals) ¹	\$2,532.44
(b) Capital Reserves ²	\$1,637.32
Total Reserve Costs	\$4,169.76
<u>IV. TOTAL ASSESSABLE COSTS</u>	
Less Surplus from prior fiscal year	<u>\$3,948.07</u>
NET ASSESSMENT COLLECTION FOR FISCAL YEAR	\$5,286.56
Number of Assessable Parcels	38
Collection per Parcel	\$139.12
Base Assessment per Parcel	\$139.12
<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⁾ In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.	

Zone 6 - Fiscal Year 2006-07 Peppertree Park	
	FY 2006-07 Budget
<u>I. MAINTENANCE COSTS</u>	
(a) Irrigation water	\$2,800.00
(b) Electrical energy	\$150.00
(c) Landscaping maintenance including debris removal, weeding, trimming, and spraying	\$3,750.00
Total Maintenance Cost	\$6,700.00
<u>II. INCIDENTAL COSTS</u>	
(a) Administration (City)	\$1,600.00
(b) Engineer's Report, preparation of documents, printing, and advertising	\$1,250.00
(c) County Collection Charges (1.7%)	\$169.80
Total Incidental Costs	\$3,019.80
<u>III. RESERVES</u>	
(a) Operating Reserves (50% of Maintenance & Incidentals) ¹	\$4,859.90
(b) Capital Reserves ²	\$22,092.43
Total Reserve Costs	\$26,952.33
<u>IV. TOTAL ASSESSABLE COSTS</u>	
Less Surplus from prior fiscal year	<u>\$26,684.12</u>
NET ASSESSMENT COLLECTION FOR FISCAL YEAR	\$9,988.00
Number of Assessable Linear Feet	4,994
Collection per Linear Foot	\$2.00
Base Assessment per Linear Foot	\$2.61
<u>NOTES:</u>	
<p>⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.</p> <p>⁽²⁾ In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.</p>	

Zone 7 - Fiscal Year 2006-07	
Mission Boulevard, Industrial Parkway, Arrowhead Way	
	FY 2006-07 Budget
<u>I. MAINTENANCE COSTS</u>	
(a) Irrigation water	\$30,000.00
(b) Electrical energy	\$6,000.00
(c) Landscaping maintenance including debris removal, weeding, trimming, and spraying	\$52,000.00
(d) Masonry wall (surface maintenance)	\$800.00
(e) Bus Shelters	\$800.00
(f) Street Lights	\$800.00
(g) Park Maintenance (HARD Payment)	\$65,000.00
Total Maintenance Cost	\$155,400.00
<u>II. INCIDENTAL COSTS</u>	
(a) Administration (City)	\$11,000.00
(b) Engineer's Report, preparation of documents, printing, and advertising	\$4,350.00
(c) County Collection Charges (1.7%)	\$2,366.40
Total Incidental Costs	\$17,716.40
<u>III. RESERVES</u>	
(a) Operating Reserves (50% of Maintenance & Incidentals) ¹	\$86,558.20
(b) Capital Reserves ²	\$125,451.72
Total Reserve Costs	\$212,009.92
<u>IV. TOTAL ASSESSABLE COSTS</u>	
Less Surplus from prior fiscal year	<u>\$245,926.32</u>
NET ASSESSMENT COLLECTION FOR FISCAL YEAR	\$139,200.00
Number of Assessable Parcels	348
Collection per Parcel	\$400.00
Base Assessment per Parcel	\$725.37
<u>NOTES:</u>	
<p>⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.</p> <p>⁽²⁾ In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.</p>	

Zone 8 - Fiscal Year 2006-07 Capitola Street	
	FY 2006-07 Budget
<u>I. MAINTENANCE COSTS</u>	
(a) Irrigation water	\$1,000.00
(b) Electrical energy	\$250.00
(c) Landscaping maintenance including debris removal, weeding, trimming, and spraying	\$3,000.00
(d) Masonry wall (surface maintenance)	\$500.00
Total Maintenance Cost	\$4,750.00
<u>II. INCIDENTAL COSTS</u>	
(a) Administration (City)	\$1,600.00
(b) Engineer's Report, preparation of documents, printing, and advertising	\$1,150.00
(c) County Collection Charges (1.7%)	\$122.40
Total Incidental Costs	\$2,872.40
<u>III. RESERVES</u>	
(a) Operating Reserves (50% of Maintenance & Incidentals) ¹	\$3,811.20
(b) Capital Reserves ²	\$9,163.47
Total Reserve Costs	\$12,974.67
<u>IV. TOTAL ASSESSABLE COSTS</u>	
	\$20,597.07
Less Surplus from prior fiscal year	<u>\$13,397.07</u>
NET ASSESSMENT COLLECTION FOR FISCAL YEAR	\$7,200.00
Number of Assessable Parcels	24
Collection per Parcel	\$300.00
Base Assessment per Parcel	\$518.79
NOTES:	
<p>⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.</p> <p>⁽²⁾ In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.</p>	

Zone 9 - Fiscal Year 2006-07 Orchard Avenue	
	FY 2006-07 Budget
<u>I. MAINTENANCE COSTS</u>	
(a) Masonry wall (surface maintenance)	\$2,000.00
(b) Contingency (15%)	\$300.00
Total Maintenance Cost	\$2,300.00
<u>II. INCIDENTAL COSTS</u>	
(a) Administration (City)	\$1,000.00
(b) Engineer's Report, preparation of documents, printing, and advertising	\$1,150.00
Total Incidental Costs	\$2,150.00
<u>III. RESERVES</u>	
(a) Operating Reserves (50% of Maintenance & Incidentals) ¹	\$2,225.00
(b) Capital Reserves ²	\$6,954.22
Total Reserve Costs	\$9,179.22
<u>IV. TOTAL ASSESSABLE COSTS</u>	
Less Surplus from prior fiscal year	<u>\$12,519.22</u>
NET ASSESSMENT COLLECTION FOR FISCAL YEAR	\$1,110.00
Number of Assessable Parcels	74
Collection per Parcel	\$15.00
Base Assessment per Parcel	\$138.52
<u>NOTES:</u>	
<p>⁽¹⁾ Operating reserves are needed for future fiscal years because the City does not receive assessment revenue from the County until January, therefore it is necessary to have an operating reserve fund to cover 6 months of cash flow from July 1 through December 31 each fiscal year.</p> <p>⁽²⁾ In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.</p>	

Zone 10 - Fiscal Year 2006-07 Eden Shores	
	FY 2006-07 Budget
<u>I. MAINTENANCE COSTS</u>	
(a) Irrigation water	\$50,000.00
(b) Electrical energy	\$500.00
(c) Landscaping maintenance including debris removal, weeding, trimming, and spraying	\$75,000.00
(d) Masonry wall (surface maintenance)	\$4,000.00
(e) Park	\$43,500.00
Total Maintenance Cost	\$173,000.00
<u>II. INCIDENTAL COSTS</u>	
(a) Administration (City)	\$7,000.00
(b) Engineer's Report, preparation of documents, printing, and advertising	\$4,000.00
(c) County Collection Charges (1.7%)	\$4,175.88
Total Incidental Costs	\$15,175.88
<u>III. RESERVES</u>	
(a) Operating Reserves (50% of Maintenance & Incidentals) ¹	\$94,087.94
(b) Capital Reserves ²	\$553,697.05
Total Reserve Costs	\$647,784.99
<u>IV. TOTAL ASSESSABLE COSTS</u>	
Less Surplus from prior fiscal year	<u>\$590,320.87</u>
NET ASSESSMENT COLLECTION FOR FISCAL YEAR	\$245,640.00
Number of Assessable Parcels	534
Collection per Parcel	\$460.00
Base Assessment per Parcel	\$825.99
<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) In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.	

Zone 11 - Fiscal Year 2006-07 Stonebrae Country Club		
	Maximum Budget at Build-out	FY 2006-07 Budget
<u>I. MAINTENANCE COSTS</u>		
(a) Irrigation water	\$124,000.00	\$62,000.00
(b) Electrical energy	\$18,000.00	\$9,000.00
(c) Rock Walls & Pathways Maintenance	\$12,000.00	\$6,000.00
(d) Horse Trail Maintenance	\$3,000.00	\$1,500.00
(e) Development Welcome Sign	\$1,000.00	\$500.00
(f) Landscaping maintenance including debris removal, weeding, trimming, and spraying	\$206,230.00	\$103,115.00
Total Maintenance Cost	\$364,230.00	\$182,115.00
<u>II. INCIDENTAL COSTS</u>		
(a) Administration (City)	\$7,000.00	\$7,000.00
(b) Engineer's Report, preparation of documents, printing, and advertising	\$4,000.00	\$4,000.00
(c) County Collection Charges (1.7%)	\$11,089.53	\$11,089.69
Total Incidental Costs	\$22,089.53	\$22,089.69
<u>III. RESERVES</u>		
(a) Operating Reserves (50% of Maintenance & Incidentals) ¹	\$193,159.77	\$102,102.34
(b) Capital Reserves ²	\$72,846.00	\$36,426.61
Total Reserve Costs	\$266,005.77	\$138,528.95
<u>IV. TOTAL ASSESSABLE COSTS</u>		
	\$652,325.30	\$342,733.64
Less Surplus from prior fiscal year	\$0.00	\$0.00
NET ASSESSMENT COLLECTION FOR FISCAL YEAR	\$652,325.30	\$342,733.64
Number of Assessable Parcels (current development)	214	214
Number of Assessable Parcels (future development)	342	342
Current Development Share	\$251,074.84	\$251,077.64
Future Development Share	\$401,250.45	\$91,656.00
Collection per Parcel (current development)	\$1,173.26	\$1,173.26
Collection per Parcel (future development)	\$1,173.26	\$268.00
Base Assessment per Parcel	\$1,173.26	\$1,173.26
<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⁾ In the event capital facilities need replacement because of failure, damage or vandalism these funds will be used.		

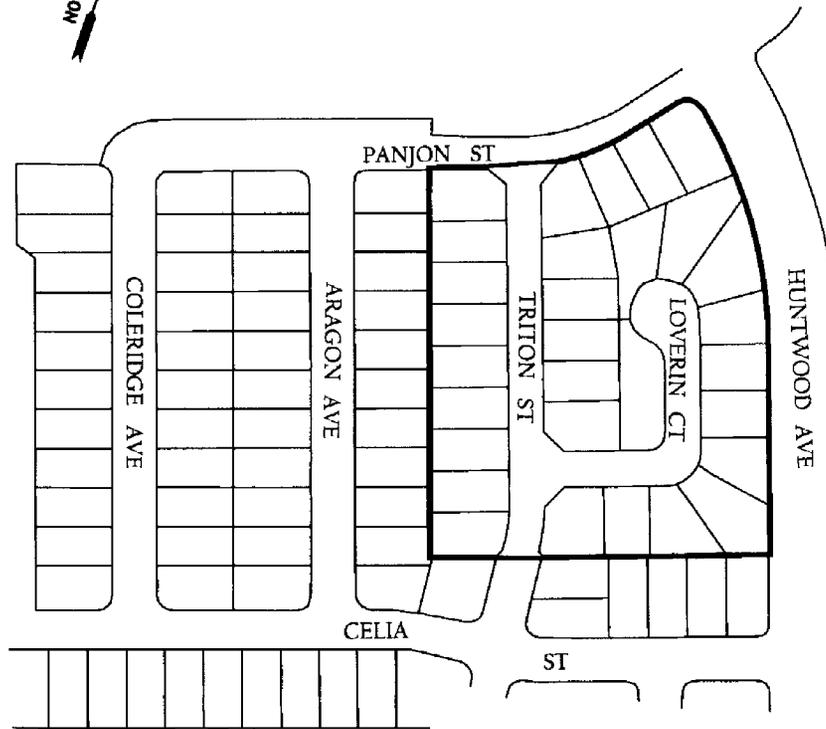
**APPENDIX B
ASSESSMENT DIAGRAM**

ASSESSMENT DIAGRAM

SHEET 1 OF 11

LANDSCAPE & LIGHTING ASSESSMENT DISTRICT No. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 1: HUNTWOOD AVENUE AND PANJON STREET

LEGEND

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF HAYWARD
THIS 26th DAY OF June 2006.

ANGELINA REYES, CITY CLERK
CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

RECORDED IN THE OFFICE OF THE DIRECTOR OF PUBLIC WORKS,
CITY OF HAYWARD, THIS 26th DAY OF June 2006.

ROBERT A. BALMAIN, DIRECTOR OF
PUBLIC WORKS
CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL ON THE LOTS,
PIECES, AND PARCELS OF LAND SHOWN ON THIS ASSESSMENT
DIAGRAM. SAID ASSESSMENT WAS LEVIED ON THE ___ DAY OF
___ 2006; THE ASSESSMENT DIAGRAM AND THE ASSESSMENT
ROLL WERE RECORDED IN THE OFFICE OF THE DIRECTOR OF PUBLIC
WORKS OF THE CITY OF HAYWARD ON THE ___ DAY OF ___ 2006.
REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE
OFFICE OF THE DIRECTOR OF PUBLIC WORKS FOR THE EXACT AMOUNT
OF EACH ASSESSMENT AUTHORIZED AGAINST EACH PARCEL OF
LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

ANGELINA REYES, CITY CLERK
CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

FILED THIS ___ DAY OF ___ 2006, AT THE
HOUR OF ___ O'CLOCK ___ M. IN BOOK ___ OF MAPS
OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE
___ IN THE OFFICE OF THE COUNTY RECORDER
OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA.

COUNTY RECORDER
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

REFERENCE IS HEREBY MADE TO THE MAPS OF RECORD IN THE
OFFICE OF THE ASSESSOR OF THE COUNTY OF ALAMEDA FOR A
DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF ANY
PARCELS SHOWN HEREIN, WHICH MAPS SHALL GOVERN FOR ALL
DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH PARCELS.

ASSESSMENT DIAGRAM

SHEET 2 OF 11

LANDSCAPE & LIGHTING ASSESSMENT DISTRICT No. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 2: HARDER ROAD AND MOCINO AVENUE

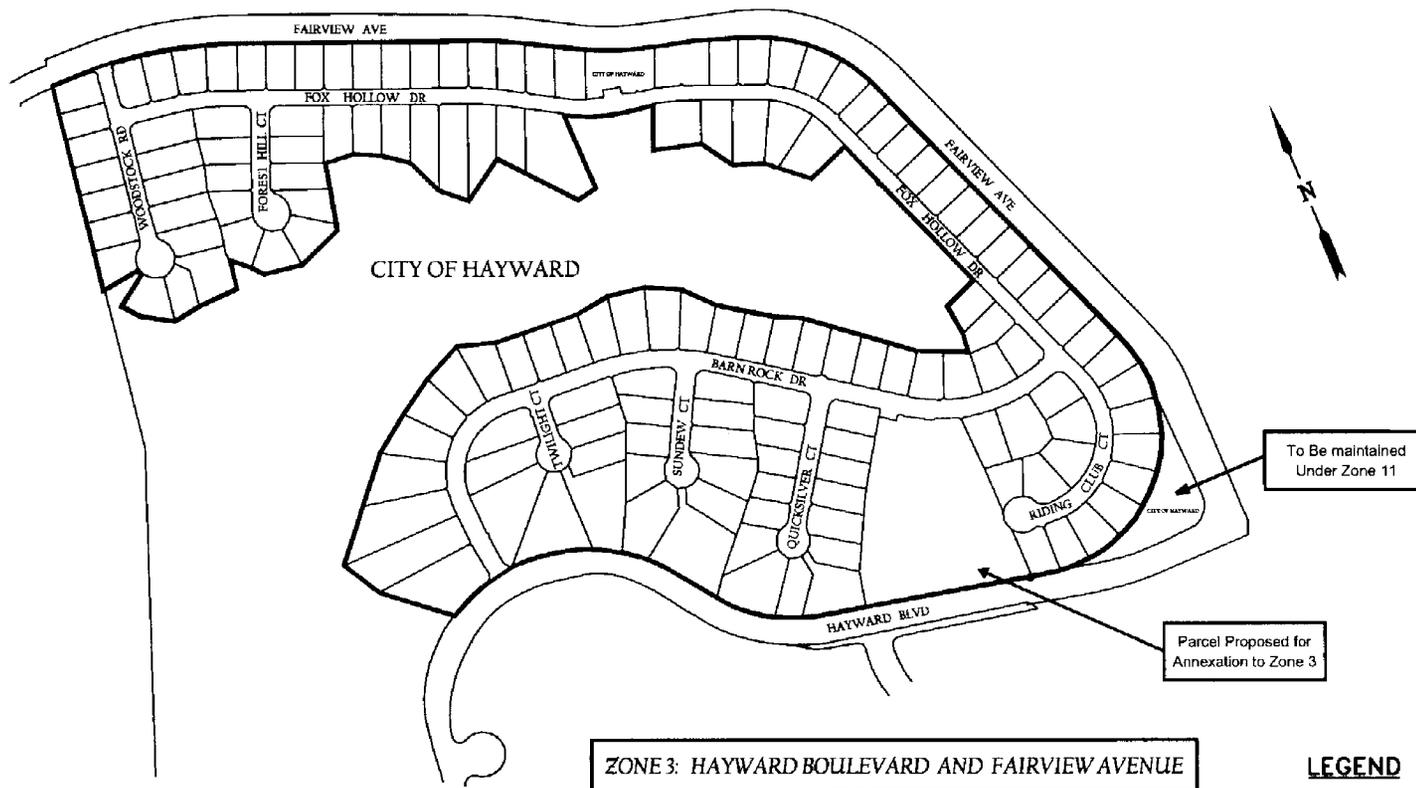
LEGEND

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES
- 85 ASSESSMENT NUMBER

ASSESSMENT DIAGRAM

LANDSCAPE & LIGHTING ASSESSMENT DISTRICT No. 96-1

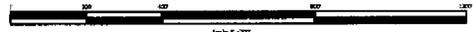
CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 3: HAYWARD BOLLEVARD AND FAIRVIEW AVENUE

LEGEND

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES



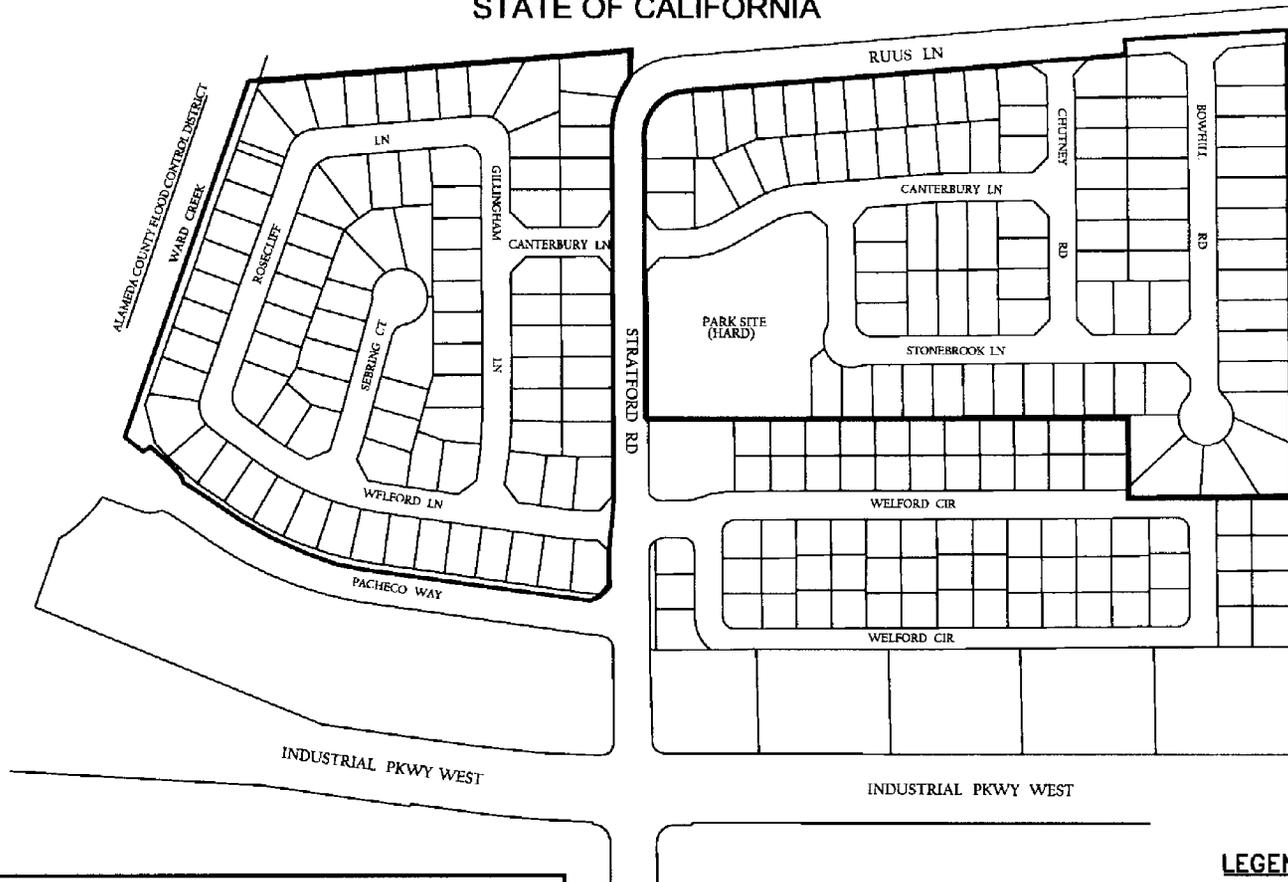
ASSESSMENT DIAGRAM

SHEET 4 OF 11

LANDSCAPE & LIGHTING ASSESSMENT DISTRICT No. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

NOT TO SCALE



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

LEGEND

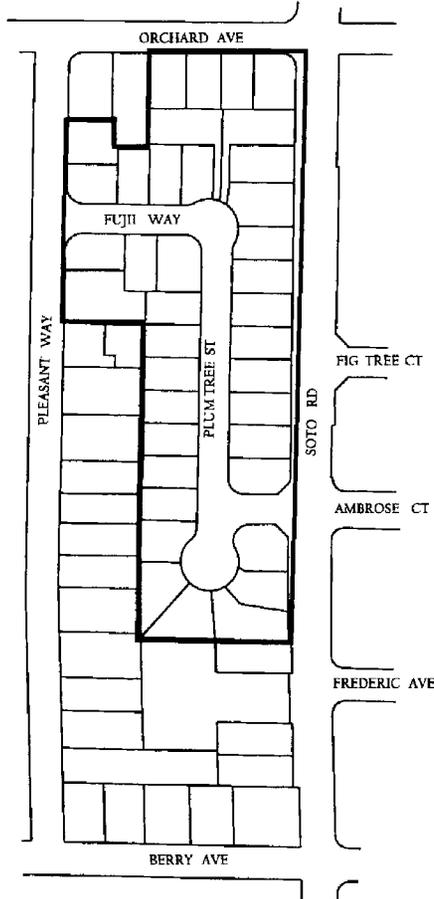
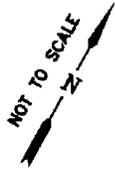
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DIAGRAM

SHEET 5 OF 11

LANDSCAPE & LIGHTING ASSESSMENT DISTRICT No. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 5: SOTO ROAD AND PLUM TREE STREET

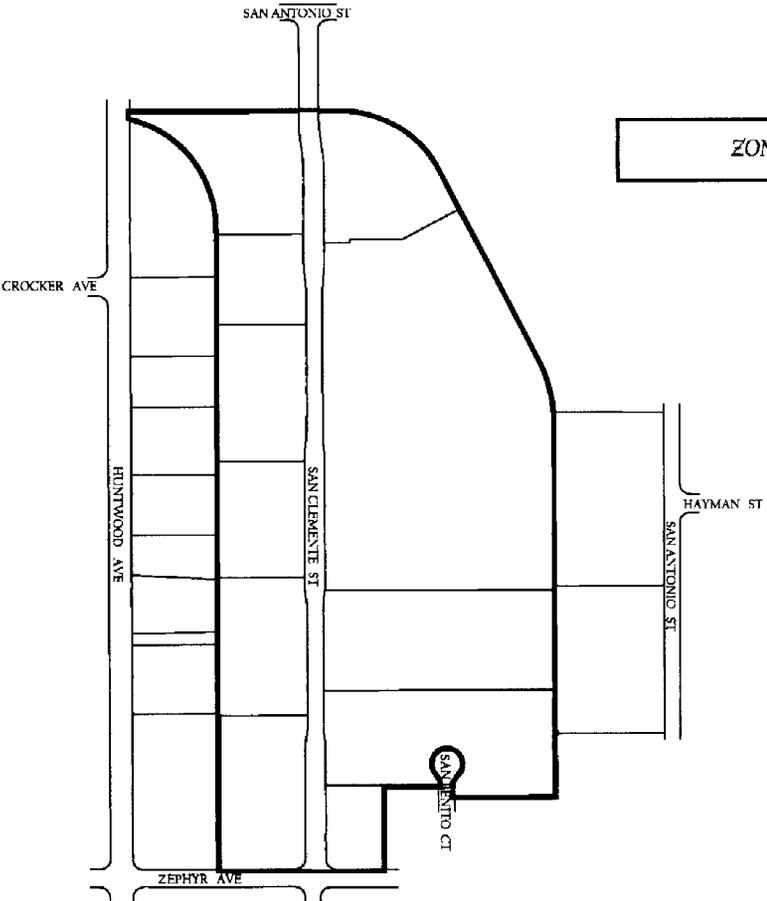
LEGEND

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DIAGRAM

LANDSCAPE & LIGHTING ASSESSMENT DISTRICT No. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 6: SAN CLEMENTE STREET

LEGEND

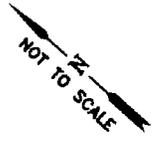
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DIAGRAM

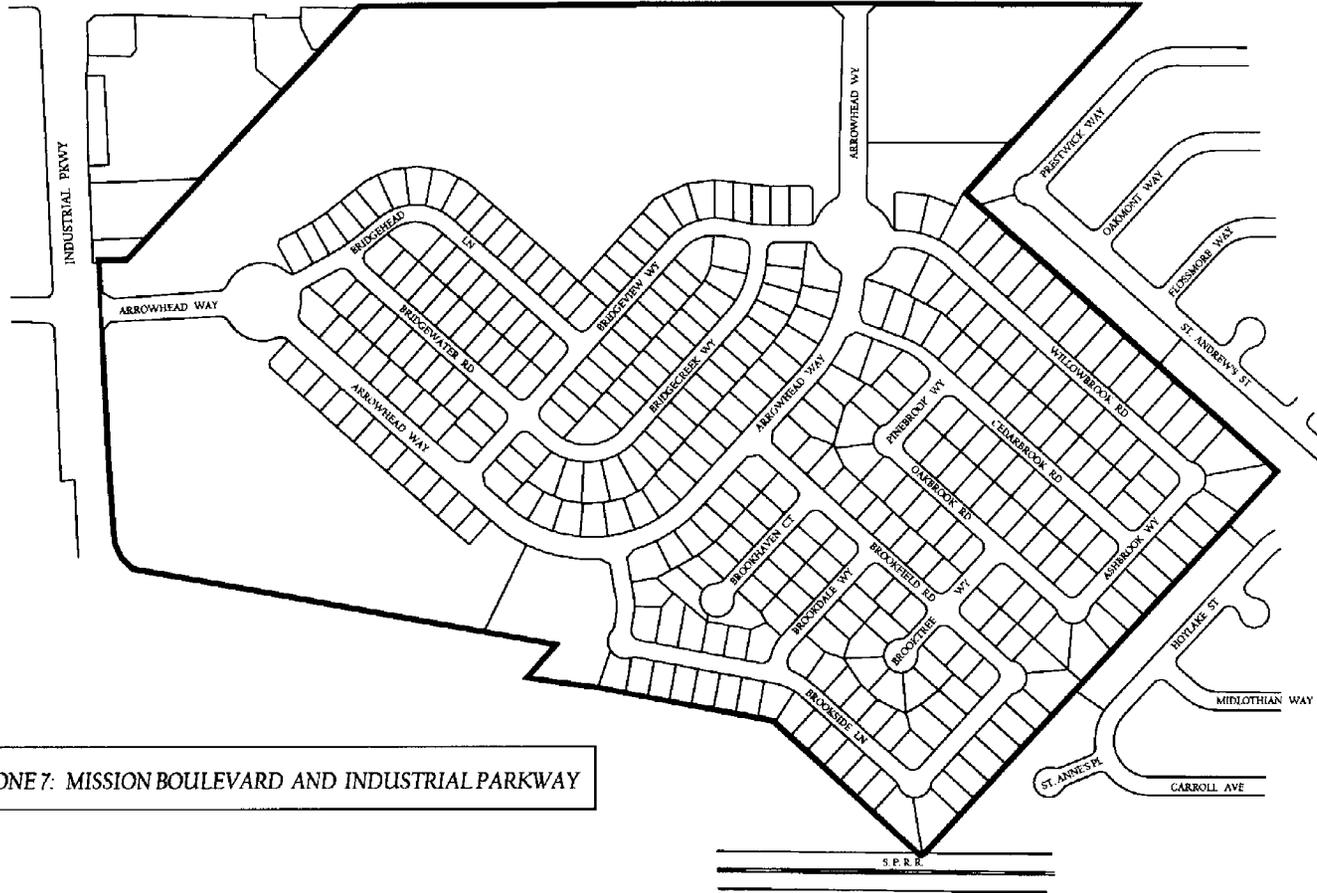
SHEET 7 OF 11

LANDSCAPE & LIGHTING ASSESSMENT DISTRICT No. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



MISSION BLVD



ZONE 7: MISSION BOULEVARD AND INDUSTRIAL PARKWAY

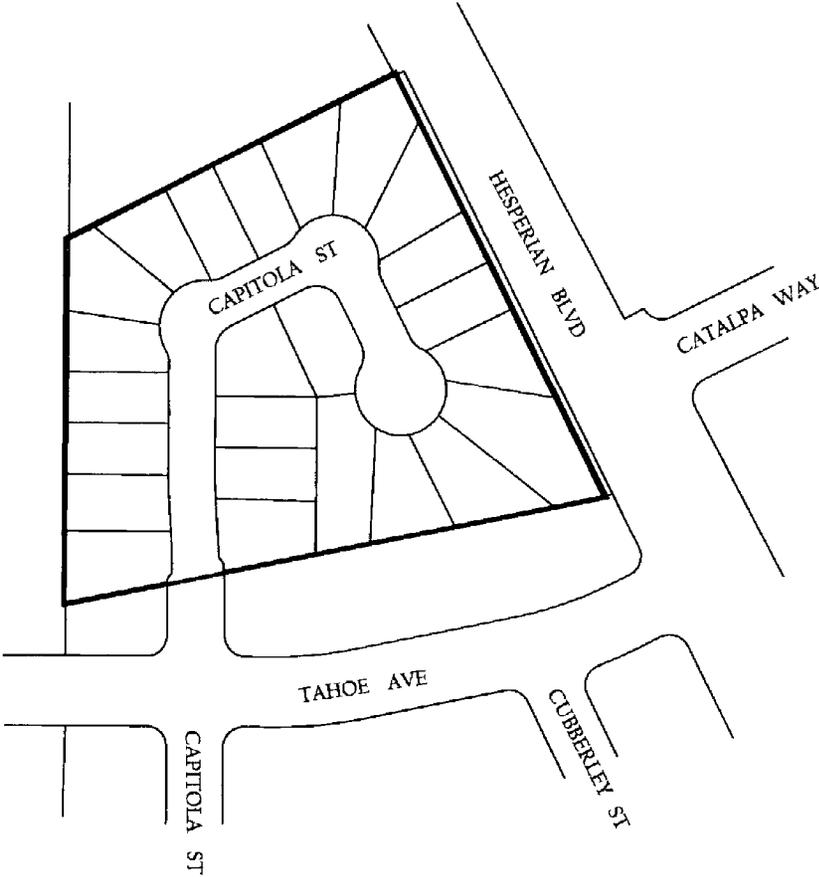
LEGEND

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DIAGRAM

LANDSCAPE & LIGHTING ASSESSMENT DISTRICT No. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 8: CAPITOLA STREET

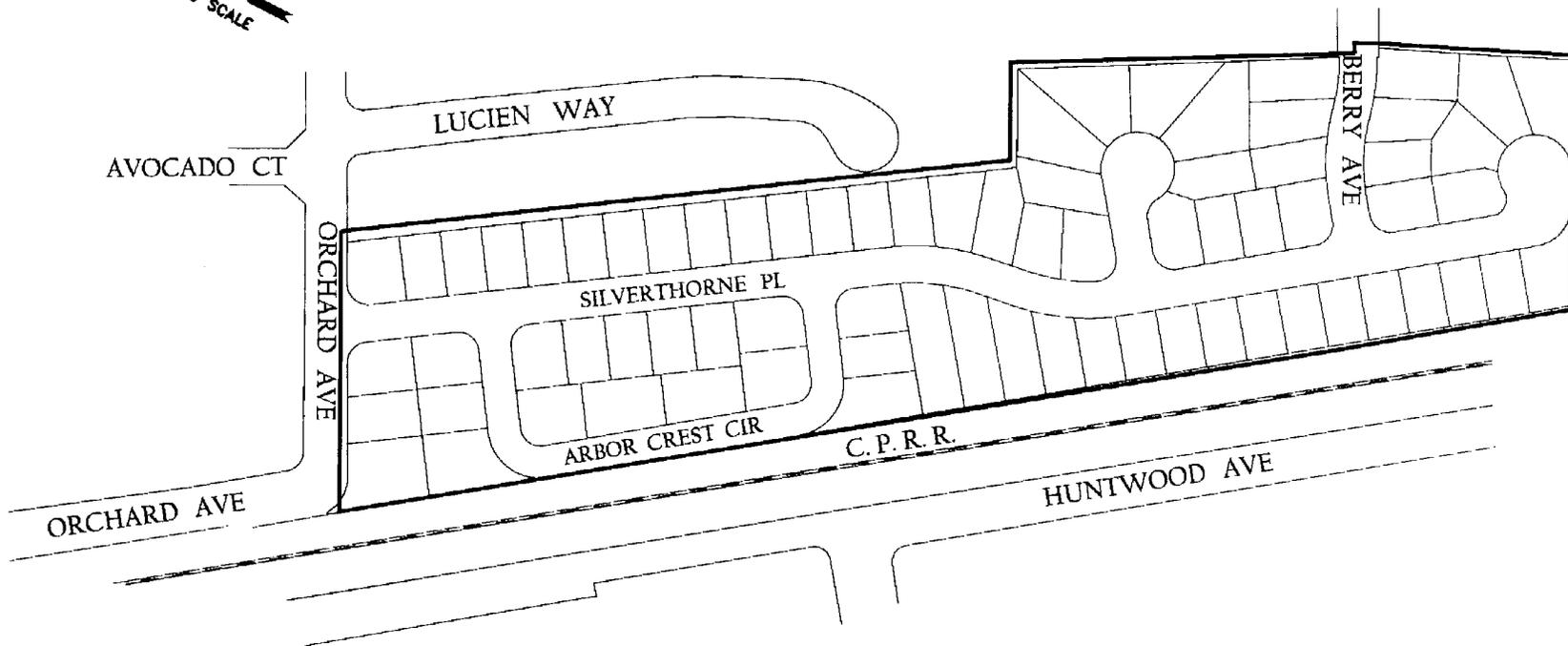
- LEGEND**
- NEW PARCEL BOUNDARIES
 - ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DIAGRAM

SHEET 9 OF 11

LANDSCAPE & LIGHTING ASSESSMENT DISTRICT No. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 9: ORCHARD AVENUE

LEGEND

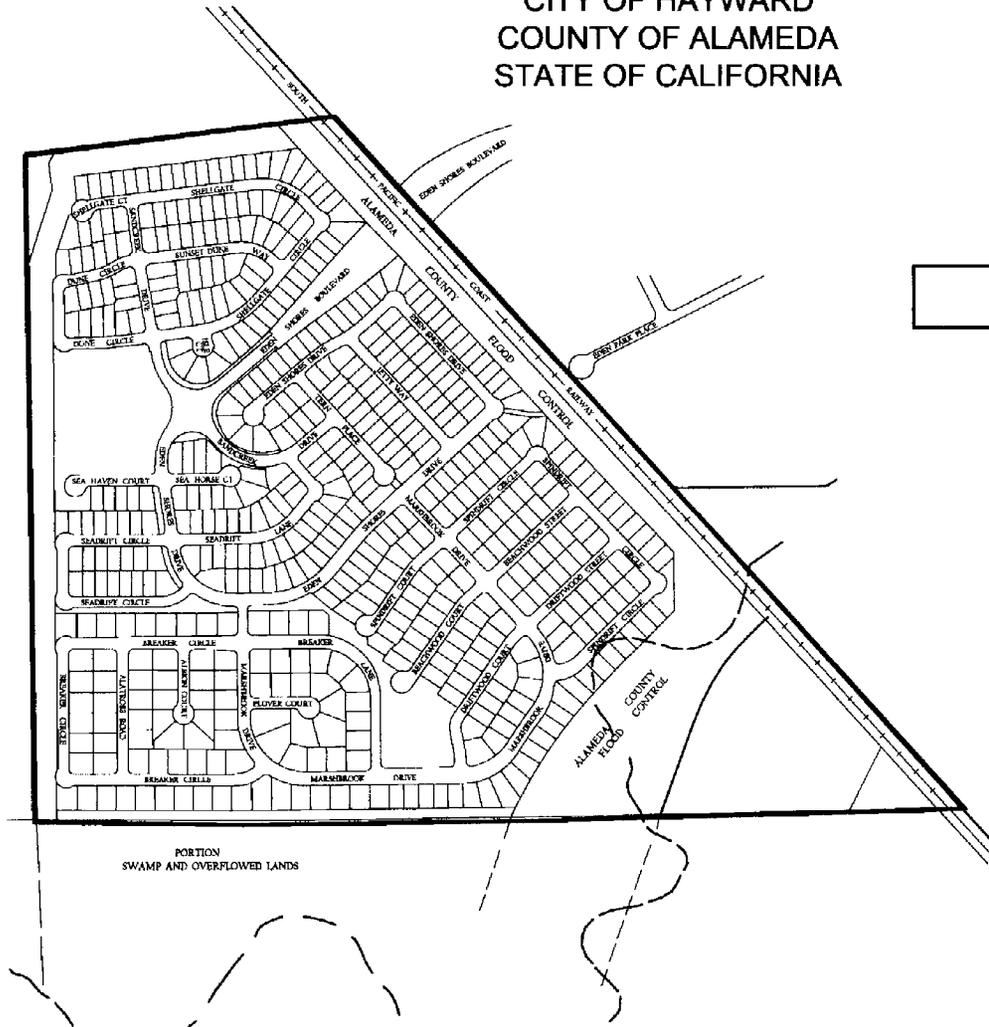
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DIAGRAM

SHEET 10 OF 11

LANDSCAPE & LIGHTING ASSESSMENT DISTRICT No. 96-1

CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE 10: EDEN SHORES

LEGEND

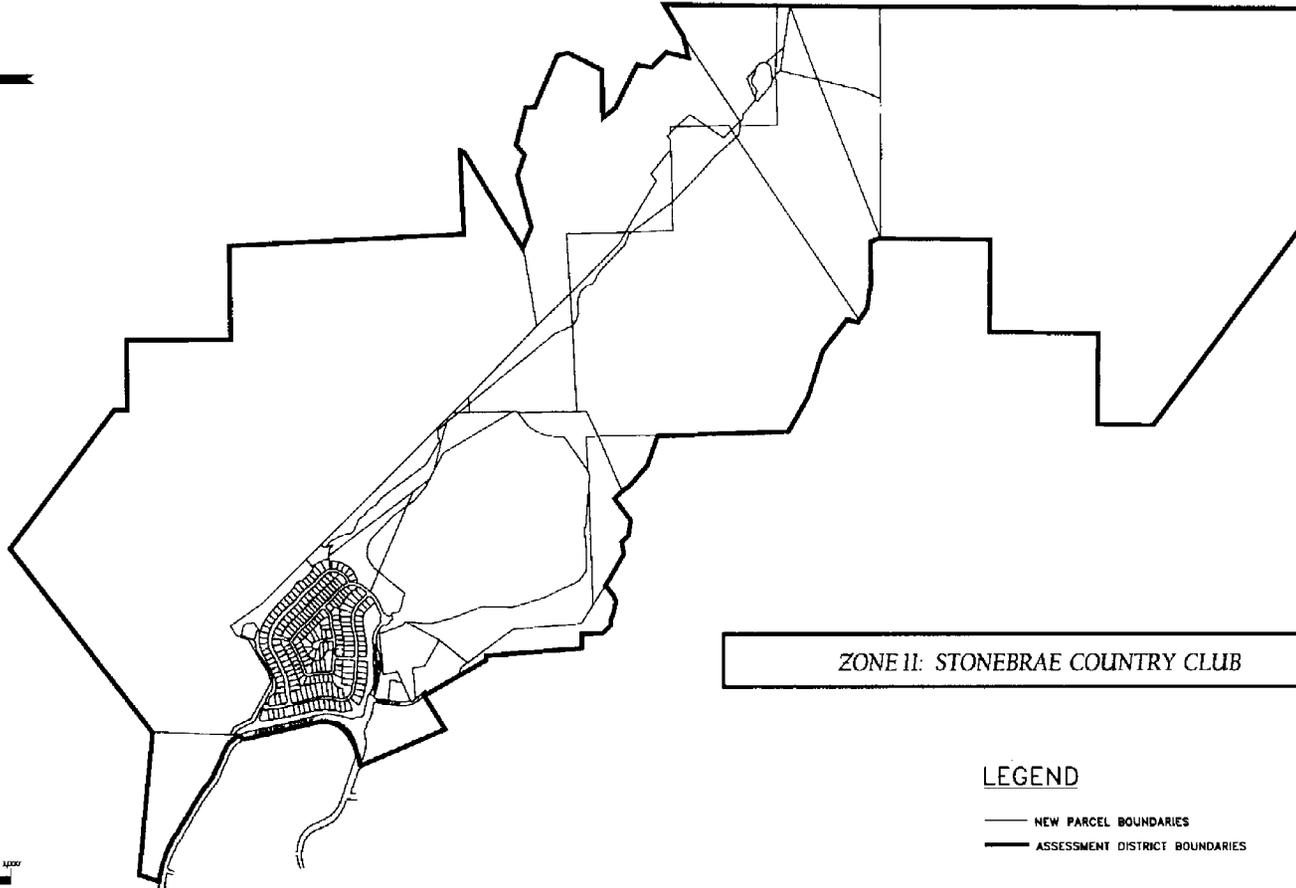
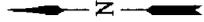
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

ASSESSMENT DIAGRAM

SHEET 11 OF 11

LANDSCAPE & LIGHTING ASSESSMENT DISTRICT No. 96-1

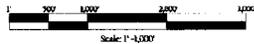
CITY OF HAYWARD
COUNTY OF ALAMEDA
STATE OF CALIFORNIA



ZONE II: STONEBRAE COUNTRY CLUB

LEGEND

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES



APPENDIX C

FY 2006-07
ASSESSMENT ROLL

(On file with the City Clerk)

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. 06-

Introduced by Council Member _____

RESOLUTION APPROVING THE ENGINEER'S REPORT,
FORMING BENEFIT ZONE 11, ANNEXING PROPERTY TO
BENEFIT ZONE 3 AND ORDERING LEVY OF ASSESSMENT FOR
FISCAL YEAR 2006-07 FOR ZONES 1-11 OF THE
CONSOLIDATED LANDSCAPING AND LIGHTING ASSESSMENT
DISTRICT NO. 96-1

WHEREAS, by its Resolution No.06-061, a resolution declaring intention to order levy and collection of assessments, this City Council designated Bashir Anastas as Engineer of Work and ordered said Engineer of Work to make and file a report in accordance with and pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, said report was duly made and filed, and duly considered by this City Council and found to be sufficient in every particular, whereupon it was determined that said report should stand as the Engineer's Report for all subsequent proceedings under and pursuant to the aforesaid resolution, and that July18, 2006, at the hour of 8:00 o'clock p.m., in the regular meeting place of this Council, City Council Chambers,777 "B" Street, 2nd Floor, Hayward, California, was appointed as the time and place for a hearing before this City Council on the question of the levy of the proposed assessments, notice of which proceedings was duly published; and

WHEREAS, notice of the proposed assessment and City Council Hearing was mailed to each property owner or record owner of each parcel in Zones 1-11, was scheduled at the appointed time and place of said hearing; and

WHEREAS, the City is proposing to annex one parcel into Benefit Zone No. 3 which will eventually be subdivided into three single-family parcels, and proposing to form Benefit Zone 11 (Stonebrae Country Club) and annex it into Landscape and Lighting Assessment District No. 96-1; and

WHEREAS, at the appointed time and place said hearing was duly and regularly held, and all interested persons desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to said levy were fully heard and considered by this City Council, and all oral statements and all written protests or communications were duly heard, and, at the appointed time and place, and determined that there was not a majority protest concerning the proposed assessment; and

WHEREAS, there was an affirmation vote by a majority of the property owners to form Benefit Zone 11 for the Stonebrae Country Club, and a majority vote to annex Benefit Zone 3; and

WHEREAS, this City Council thereby confirmed the diagram and assessment for Zones 1-11, prepared by and made a part of the report of said engineer to pay the costs and expenses thereof, and acquired the ability to order said levy for Zones 1-11.

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

1. The proposed assessments for Zones 1 -10 are equal to or less than the previous years assessments.

2. The protests submitted by the owners of property within Zones 1-10 of the District in opposition to the assessment constitute less than a majority protest. Accordingly, any protests to the proposed assessments for fiscal year 2006-2007 are hereby overruled.

3. The majority of the property owners in the Stonebrae Development voted to establish Benefit Zone 11 and set the assessment of \$1,173.26 for current and future assessments.

4. There was a majority vote to annex one parcel into Benefit Zone 3 and set the assessment of \$1,023.56.

5. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Council expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefitted by the maintenance of the improvements at least in the amount, if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.

6. The public interest, convenience and necessity require that a levy on each lot in Zones 1-11, the exterior boundaries of which are shown by a map thereof filed in the office of the City Clerk and made a part hereof by reference, which is benefitted by the proposed assessment, be made as follows:

Zone 1	\$ 2 65.64
Zone 2	\$ 93.08
Zone 3	\$1,023.56
Zone 4	\$ 121.00
Zone 5	\$ 139.12
Zone 6	\$ 2.61
Zone 7	\$ 725.37

Zone 8	\$ 518.79
Zone 9	\$ 138.52
Zone 10	\$ 825.99
Zone 11	\$1,173.26 (Current)
Zone 11	\$1,173.26 (Future)

5. Said Engineer's Report, as a whole and each part thereof, is hereby approved, confirmed and incorporated herein, including but not limited to the following:

- (a) the Engineer's estimate of the itemized and total costs and expenses of maintaining said improvements, and of the incidental expenses in connection therewith; and
- (b) the diagram showing the zones of the assessment district, plans and specifications for the improvements to be maintained and the boundaries and dimensions of the respective lots and parcels of land within the District; and
- (c) the assessment of the total amount of the cost and expenses of the proposed maintenance of said improvements upon the lots in said zone of the district be made in proportion to the estimated benefits to be received by such lot, respectively, from said maintenance and of the expenses incidental thereto;

is approved and confirmed and incorporated herein.

- 6. Adoption of the Engineer's Report as a whole, estimate of the costs and expenses, the diagram and the assessments, as contained in said report, as hereinabove determined and ordered, is intended to and shall refer and apply to said report, or any portion thereof, as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any, heretofore duly adopted or made by this City Council.
- 7. The assessments to pay the costs and expenses of the maintenance of said improvements in Zones 1-11 for fiscal year 2006-07, are hereby levied. The following amounts are hereby ordered to be collected for fiscal year 2006-2007:

Zone 1	\$ 205.00
Zone 2	\$ 93.08
Zone 3	\$1,023.56
Zone 4	\$ 121.00
Zone 5	\$ 139.12
Zone 6	\$ 2.00
Zone 7	\$ 400.00
Zone 8	\$ 300.00
Zone 9	\$ 15.00

Zone 10	\$ 460.00
Zone 11	\$1,173.69 (Current Development)
Zone 11	\$ 268.00 (Future Development)

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

9. Upon receipt of monies representing assessments collected by the County, the Director of Finance of the City of Hayward shall deposit the monies in the City Treasury to the credit of an improvement fund, which improvement fund the Director of Finance is hereby directed to establish under the distinctive designation of said Consolidated Landscaping and Lighting Assessment District 96-1, Zone 1-11. Monies in said improvement fund shall be expended only for the maintenance, servicing, construction or installation of the improvements.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the modified corner of at Hayward Boulevard and Fairview Boulevard is hereby annexed to Benefit Zone No. 3.

IN COUNCIL, HAYWARD, CALIFORNIA July 18, 2006

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**