



CITY OF  
**HAYWARD**  
HEART OF THE BAY

**SPECIAL JOINT CITY COUNCIL  
REDEVELOPMENT SUCCESSOR AGENCY  
AGENDA  
MAY 19, 2015**

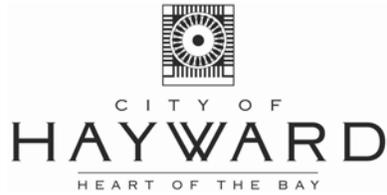
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**MAYOR BARBARA HALLIDAY  
MAYOR PRO TEMPORE GREG JONES  
COUNCIL MEMBER FRANCISCO ZERMEÑO  
COUNCIL MEMBER MARVIN PEIXOTO  
COUNCIL MEMBER AL MENDALL  
COUNCIL MEMBER SARA LAMNIN  
COUNCIL MEMBER ELISA MÁRQUEZ**

## Table of Contents

Agenda . . . . .	3
Approval of Minutes of the City Council Meeting on April 28, 2015	
Draft Minutes . . . . .	8
Approval of Minutes of the City Council Meeting on May 5, 2015	
Draft Minutes . . . . .	13
Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Assessments for Fiscal Year 2016; Reconfirm Maximum Base Assessment Rates for Zones 1, 2, 4 and 5; and Set July 7, 2015, as the Public Hearing Date for Such Actions for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13	
Staff Report . . . . .	18
Attachment I - Resolution . . . . .	25
Attachment II - Preliminary Engineer's Report . . . . .	28
Attachment III - Zones 1, 2, 4 and 5 Budget tables at formation . . . . .	113
Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2016; Reconfirm Maximum Annual Assessment Amount for Maintenance District No. 1 – Storm Drainage Pumping Station and Storm Drain Conduit Located at Pacheco Way, Stratford Road and Ruus Lane, and Set July 7, 2015, as the Public Hearing Date for Such Actions	
Staff Report . . . . .	117
Attachment I - Resolution . . . . .	120
Attachment II - Preliminary Engineer's Report . . . . .	122
Attachment III - Original District Formation Budget . . . . .	143
Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2016 for Maintenance District No.2 – Eden Shores Storm Water Facilities and Water Buffer, and Set July 7, 2015, as the Public Hearing Date for Such Actions	
Staff Report . . . . .	144
Attachment I - Resolution . . . . .	147
Attachment II - Preliminary Engineer's Report . . . . .	149
Adopt a Resolution of Intention to Execute Renewal of a Joint Exercise of Powers Agreement (JPA) for Six Months Through the End of 2015 for the Hayward Area Shoreline Planning Agency (HASPA)	
Staff Report . . . . .	173
Attachment I - Resolution to Execute JPA . . . . .	176
Attachment II - HASPA Joint Exercise of Powers Agreement . . . . .	177
Approval of Network Infrastructure System Replacement Agreement	
Staff Report . . . . .	185
Attachment I Resolution. . . . .	188

Cast Iron Water Pipeline Replacement Project: Award of Construction Contract	
Staff Report . . . . .	189
Attachment I Resolution. . . . .	192
Attachment II Project Location Map. . . . .	194
Attachment III Bid Summary . . . . .	195
Conversion of Existing Gravity Thickener to New Primary Clarifier at Water Pollution Control Facility: Award of Contract and Appropriation of Funds	
Staff Report . . . . .	199
Attachment I Resolution - Award of Contract . . . . .	203
Attachment II Resolution - Appropriation of Funds . . . . .	206
Attachment III Bid Summary . . . . .	207
Recycled Water Project: Authorization for City Manager to Submit a Revised Application for State Water Resources Control Board Revolving Fund Loan	
Staff Report . . . . .	210
Attachment I - Resolution. . . . .	214
Consideration of Resolutions in Support of SB 546 (Leno) and an Amended SB 26 (Hernandez): Providing Greater Transparency of Costs Associated with the Affordable Care Act	
Staff Report . . . . .	216
Attachment I Resolution. . . . .	219
Attachment II Resolution . . . . .	221
Authorization for City Manager to Reject all Bids for Lease-Purchase Financing of a Fire Apparatus; and Negotiate on the Open Market for Lease-Purchase Financing	
Staff Report . . . . .	223
Approval of Revised Long Range Property Management Plan	
Staff Report . . . . .	225
Attachment I Resolution. . . . .	228
Attachment II Revised Long Range Property Management Plan. . . . .	232
Approval of an Amendment to a Professional Services Agreement with AMEC Foster Wheeler Environment and Infrastructure, Inc. (AMEC FW EI) for Environmental Remediation Efforts at the Cinema Place Property	
Staff Report . . . . .	265
Attachment I Resolution. . . . .	268
Economic Development Preliminary Concept Review: Maple & Main Mixed-Use Development (Report from City Manager David)	
Staff Report . . . . .	271
Attachment I. . . . .	274
Attachment II . . . . .	275



CITY COUNCIL MEETING FOR MAY 19, 2015  
777 B STREET, HAYWARD, CA 94541  
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**Conference Room 2B – 4:30 PM**

1. CITY COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS;  
PUBLIC COMMENTS
  2. CLOSED SESSION
  3. Conference with Legal Counsel  
Pursuant to Government Code 54956.9
    - Anticipated Litigation  
Two Cases
  4. Conference with Labor Negotiators  
Pursuant to Government Code 54957.6
    - Lead Negotiators: City Manager David; City Attorney Lawson; Assistant City Manager McAdoo; Finance Director Vesely; Public Works-Engineering & Transportation Director Fakhrai; Human Resources Director Collins; Senior Human Resources Analyst Lopez; Assistant City Attorney Vashi; Community and Media Relations Officer Holland; Jack Hughes, Liebert Cassidy Whitmore  
Under Negotiation: All Groups
  5. Conference with Property Negotiators  
Pursuant to Government Code 54956.
    - Under Negotiation: Tennyson/Ruus Multiservice Center – 680 West Tennyson Road, Hayward.  
Lead Negotiators: City Manager David, Assistant City Manager McAdoo, City Attorney Lawson, Library and Community Services Director Reinhart
  6. Adjourn to Special Joint City Council/Redevelopment Successor Agency Meeting
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**SPECIAL JOINT CITY COUNCIL/REDEVELOPMENT SUCCESSOR AGENCY MEETING**  
**Council Chambers – 7:00 PM**

**CALL TO ORDER Pledge of Allegiance** Council Member Márquez

**ROLL CALL**

**CLOSED SESSION ANNOUNCEMENT**

## PRESENTATION

- Earth Day Poster and Essay Contest Awards Presentation

## PUBLIC COMMENTS

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

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

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## CONSENT

1. Approval of Minutes of the City Council Meeting on April 28, 2015  
[Draft Minutes](#)
2. Approval of Minutes of the City Council Meeting on May 5, 2015  
[Draft Minutes](#)
3. Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Assessments for Fiscal Year 2016; Reconfirm Maximum Base Assessment Rates for Zones 1, 2, 4 and 5; and Set July 7, 2015, as the Public Hearing Date for Such Actions for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13  
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May 19, 2015



5. Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2016 for Maintenance District No.2 – Eden Shores Storm Water Facilities and Water Buffer, and Set July 7, 2015, as the Public Hearing Date for Such Actions  
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[Staff Report](#)  
[Attachment I - Resolution to Execute JPA](#)  
[Attachment II - HASPA Joint Exercise of Powers Agreement](#)
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[Staff Report](#)  
[Attachment I Resolution](#)
8. Cast Iron Water Pipeline Replacement Project: Award of Construction Contract  
[Staff Report](#)  
[Attachment I Resolution](#)  
[Attachment II Project Location Map](#)  
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9. Conversion of Existing Gravity Thickener to New Primary Clarifier at Water Pollution Control Facility: Award of Contract and Appropriation of Funds  
[Staff Report](#)  
[Attachment I Resolution - Award of Contract](#)  
[Attachment II Resolution - Appropriation of Funds](#)  
[Attachment III Bid Summary](#)
10. Recycled Water Project: Authorization for City Manager to Submit a Revised Application for State Water Resources Control Board Revolving Fund Loan  
[Staff Report](#)  
[Attachment I - Resolution](#)
11. Consideration of Resolutions in Support of SB 546 (Leno) and an Amended SB 26 (Hernandez): Providing Greater Transparency of Costs Associated with the Affordable Care Act  
[Staff Report](#)  
[Attachment I Resolution](#)  
[Attachment II Resolution](#)
12. Authorization for City Manager to Reject all Bids for Lease-Purchase Financing of a Fire Apparatus; and Negotiate on the Open Market for Lease-Purchase Financing  
[Staff Report](#)



13. Approval of Revised Long Range Property Management Plan

[Staff Report](#)

[Attachment I Resolution](#)

[Attachment II Revised Long Range Property Management Plan](#)

14. Approval of an Amendment to a Professional Services Agreement with AMEC Foster Wheeler Environment and Infrastructure, Inc. (AMEC FWEI) for Environmental Remediation Efforts at the Cinema Place Property

[Staff Report](#)

[Attachment I Resolution](#)

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

**WORK SESSION (60- Minute Limit)**

15. Economic Development Preliminary Concept Review: Maple & Main Mixed-Use Development (Report from City Manager David)

[Staff Report](#)

[Attachment I](#)

[Attachment II](#)

*Information items are presented as general information for Council and the public. Should Council wish to take action on any of the “information” items, they will direct the City Manager to bring them back on a future Council agenda as an Action Item.*

**INFORMATION ITEMS**

None

**CITY MANAGER’S COMMENTS**

An oral report from the City Manager on upcoming activities, events, or other items of general interest to Council and the Public.

**COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

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



## ADJOURNMENT

**NEXT REGULAR MEETING – 7:00 PM, Tuesday, May 26, 2015**

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

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***PLEASE TAKE NOTICE*** *that if you file a lawsuit challenging any final decision on any public hearing or legislative business item listed in this agenda, the issues in the lawsuit may be limited to the issues that were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.*

***PLEASE TAKE FURTHER NOTICE*** *that the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.*

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

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

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***Please visit us on:***



May 19, 2015



5



**MINUTES OF THE CITY COUNCIL MEETING  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, April 28, 2015, 7:00 p.m.**

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

**ROLL CALL**

Present: COUNCIL MEMBERS Zermeño, Mendall, Jones, Peixoto, Lamnin,  
Márquez  
MAYOR Halliday  
Absent: None

**CLOSED SESSION ANNOUNCEMENT**

Mayor Halliday announced that the Council met in closed session regarding a conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups, and took no reportable action.

**PRESENTATIONS**

Mayor Halliday read a proclamation presented to Eden Housing, Inc., proclaiming May 8 to May 17, 2015, as Affordable Housing Week. Associate Director of Property Operations Eden Housing Inc., Leanne Butterfield and Natalia Flores accepted the proclamation on behalf of Eden Housing.

Hayward Youth Commission members: Jahlan Loché, Kryssi Hollie, Joshua Tran, Marcus Smith, and Jose Lara, presented the results of the Hayward Youth Commission Resource Survey which was conducted for the purpose of understanding what the youth of Hayward feel about their experience in the city and what they would like to see in Hayward.

**PUBLIC COMMENTS**

Mr. Michael Wallace, President of the Hayward Arts Council, suggested finding a place in Hayward to display high quality art for folks who are not able to afford to go the museums or art shows and added that a space in the new library could be a place to display art.

Ms. Jahlan Loché and Mr. Jose Lara, spoke about the Hayward Youth Commission and its annual recruitment, and they urged the youth to join and apply before May 14, 2015.

Ms. Bea Lind, Fairview resident, requested regaining horse riding trail access on Carden Lane off Stonebrae, which was taken as part of the Hayward Boulevard widening road construction.

Mr. Leonard Rose, Hayward resident, noted that due to construction work, horse trail access had been closed and horses had to use the sidewalk; and he requested retaining safe horse trails for

Fairview residents. Mr. Rose submitted a letter from Ms. Jewell Spalding regarding trail access for horses.

Mr. Charlie Peters, Hayward resident and Clean Air Performance Professionals representative, spoke about the price of gasoline, fuel cell cars, and Lake Tahoe service station fuel tank leak; and he provided documents for the record.

## **CONSENT**

1. Approval of Minutes of the Special City Council Meeting on April 14, 2015

It was moved by Council Member Márquez, seconded by Council Member Mendall, and carried unanimously, to approve the minutes of the Special City Council Meeting on April 14, 2015.

2. Adoption of Ordinance Levying Special Tax within Community Facilities District

Staff report submitted by City Clerk Lens, dated April 28, 2015, was filed.

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

Ordinance 15-13, "Ordinance of the City of Hayward Levying Special Tax within Community Facilities District"

## **PUBLIC HEARING**

3. FY 2016 Master Fee Schedule/Fine and Bail Update

Staff report submitted by Director of Finance Vesely, dated April 28, 2015, was filed.

Director of Finance Vesely noted two changes: 1) a revised resolution which clarified that there were no changes to the Fine and Bail Schedule and referred to the Master Fee Schedule and Fine and Bail Schedule as Exhibit A; and 2) clarification that a Master Fee Schedule update was not presented to the Council Budget and Finance Committee as indicated in the report. Ms. Vesely provided a synopsis of the staff report.

Council Member Lamnin disclosed she had worked on advocacy efforts related to the tobacco ordinance at her former employment, but since she was no longer involved, she did not have to recuse from participating on the public hearing.

Discussion ensued among Council members and City staff regarding: re-inspection of tobacco retail sales establishments; credit/debit card payment transaction fee; fee for renting out the Airport Administration Building meeting room; and signs fabricated and installed by City crew.



**MINUTES OF THE CITY COUNCIL MEETING  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, April 28, 2015, 7:00 p.m.**

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Mayor Halliday opened the public hearing at 7:45 p.m.

Mr. Rocky Fernandez, Hayward resident, recommended that the Fine and Bail Schedule be evaluated to see if the fee structure posed a detriment to the quality of life of residents and visitors; and as the parking study was being evaluated to look into using technology to meet goals.

Mayor Halliday closed the public hearing at 7:49 p.m.

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

Council Member Lamnin requested that staff consider classes or community service in lieu of fees as the parking study gets crafted.

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

Resolution 15-061, “Resolution Adopting a Revised Master Fee Schedule for the FY 2016, Including a Revised Fine and Bail Schedule, Relating to Fees and Charges for Departments in the City of Hayward and Rescinding Resolution No. 14-074 and All Amendments Thereto”

**LEGISLATIVE BUSINESS**

4. Request to Amend Condition of Approval No. 3c-5, Approve the Final Map (Tract 8231), and Authorize the City Manager to Execute a Subdivision Agreement Associated with Stonebrae Country Club Village D, Located in Eastern Hayward on Walpert Ridge, Requiring Adoption of a Resolution. Stonebrae, L.P. (Subdivider/Applicant)

Staff report submitted by Senior Planner Golubics, dated April 28, 2015, was filed.

Deputy Director of Development Services Bristow announced the report and introduced Senior Planner Golubics who provided a synopsis of the staff report.

City staff clarified questions posed by Council members related to the ground cover for open space areas, the number of lots for Village D, and the change in the number of lots developed within each village and the number of lots approved pursuant to the Vesting Tentative Tract Map.

Mayor Halliday opened the public hearing at 8:03 p.m.

Mr. Steve Miller, Stonebrae Country Club representative, acknowledged staff for their diligence, noted that the Village D plan included larger open space areas, mentioned there were trails to transport people throughout the villages and to the club house, indicated there was draught tolerant landscaping, and announced Stonebrae would host the PGA Golf Tour on July 13, 2015.

Ms. Joanna Callenbach, Stonebrae Project Manager, shared there was a small park with a children's play structure planned in Lot F. Council Member Márquez urged the developer to consider the need for a playground for children with special needs.

Mayor Halliday closed the public hearing at 8:17 p.m.

Council Member Zermeño noted he supported the Stonebrae County Club development from the beginning and offered a motion per staff recommendation and Council Member Mendall seconded the motion.

Council Member Mendall noted he was glad to hear there was going to be a small park for families, applauded the collaborative efforts between City staff and Stonebrae, L.P., and supported the proposed changes.

Mayor Halliday supported the motion noting the Stonebrae development had become an asset to the community and the golf tournament had brought attention to the city.

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

Resolution 15-062, "Resolution Eliminating Condition of Approval 3C-5 for Village D of the Vesting Tentative Map for Tract 5354 and Approving Final Map 8231 and Authorizing the City Manager to Execute a Subdivision Agreement and Other Necessary Documents"

## **INFORMATION ITEMS**

There were none.

## **CITY MANAGER'S COMMENTS**

There were none.

## **COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Council Member Zermeño announced a "Celebración del Cinco de Mayo" event on May 2, 2015, presented by La Alianza de Hayward.

Council Member Márquez announced a fundraiser for Wyatt, Karen Norell's grandson, on May 13, 2015, at San Marcos Mexican Restaurant.



**MINUTES OF THE CITY COUNCIL MEETING  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, April 28, 2015, 7:00 p.m.**

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**ADJOURNMENT**

Mayor Halliday adjourned the meeting at 8:24 p.m.

**APPROVED:**

Barbara Halliday  
Mayor, City of Hayward

**ATTEST:**

Miriam Lens  
City Clerk, City of Hayward



**MINUTES OF THE CITY COUNCIL MEETING  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, May 5, 2015, 7:00 p.m.**

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

**ROLL CALL**

Present: COUNCIL MEMBERS Zermeño, Mendall, Jones, Peixoto, Lamnin,  
Márquez  
MAYOR Halliday  
Absent: None

**CLOSED SESSION ANNOUNCEMENT**

City Attorney Lawson announced that the Council met in closed session regarding two items: 1) conference with property negotiators pursuant to Government Code 54956.8 regarding Municipal Parking Lot #6; "A" Street/Russell Way (APN: 415-0240-038-00); and 2) conference with labor negotiators pursuant to Government Code 54957.6 regarding all groups; and noted there was no reportable action. Mr. Lawson also noted that there were no public comments or referrals made in the public comments section of the closed session agenda.

**PRESENTATIONS**

Mayor Halliday read a proclamation proclaiming the week of May 10 through May 16, 2015, as National Police Week and May 15, 2015, as Peace Officers' Memorial Day in the City of Hayward. Captain Martinez accepted the proclamation on behalf of Police Chief Urban and the Hayward Police Department.

Mayor Halliday recognized the outstanding poetry of over ninety Hayward students who submitted entries to the second annual Student Poetry Scholarship Awards which was sponsored by the Friends of the Library. Ms. Judy Harrison, President of the Friends of the Library, spoke about the poetry contest and acknowledged the volunteers who read and selected the winners. Library and Community Services Director Reinhart announced the poetry contest participants and the winners were presented with scholarships sponsored by Friends of the Library.

Mayor Halliday read a proclamation presented to Bike East Bay proclaiming May 14, 2015, as Bike to Work and School Day in the City of Hayward. Mr. Dave Campbell, Advocacy Director of Bike East Bay Coalition, accepted the proclamation, and urged everyone to support Bike to Work and School Day by participating. Mr. Christian Valiente spoke about his experience biking to work.

Mayor Halliday read a proclamation presented to the Salvation Army-Hayward Corps, proclaiming May 11 through 16, 2015, as National Salvation Army Week in the City of Hayward. Hayward Corps Officer Lieutenant Kyna Kelly accepted the proclamation.

## **PUBLIC COMMENTS**

Mr. Jim Drake, Hayward resident, spoke about the need for more patrol officers in Hayward neighborhoods.

Ms. Wynn Grcich, Hayward resident, announced a March Against Monsanto in front of the Ferry Building in San Francisco on May 23, 2015; and referred to three articles: “Study Links Roundup to Pediatric Brain Cancer”, “Scientists Link Autism to These Toxic Chemicals During Fetal Development” and “U.S. calls for less fluoride in tap water to help kids’ teeth.”

Mr. Charlie Peters, Hayward resident with Clean Air Performance Professionals, referred to three articles: “EPA cities Plains’ California oil train terminal for violations”, “BP and Steelworkers union reach sellout deal to end three-month Indiana refinery strike” and “PG&E nears plan to filter chromium on Colorado River, could take 30 years to decontaminate.”

## **CONSENT**

City Manager David requested that Consent Item No. 5 be removed from the Council agenda and brought back at a future meeting. There was Council consensus to remove the item.

Consent Item Nos. 3 and 4 were removed for discussion.

1. Approval of Minutes of the Special City Council Meeting on April 18, 2015

It was moved by Council Member Peixoto, seconded by Council Member Jones, and carried unanimously, to approve the minutes of the Special City Council Meeting on April 18, 2015.

2. Approval of Minutes of the City Council Meeting on April 21, 2015

It was moved by Council Member Peixoto, seconded by Council Member Jones, and carried unanimously, to approve the minutes of the City Council Meeting on April 21, 2015.

3. Authorization to Execute a Professional Services Agreement for Investment Portfolio Management Services with PFM Asset Management in an Amount not to Exceed \$95,000 Per Year for a Maximum of Three Years

Staff report submitted by Director of Finance Vesely, dated May 5, 2015, was filed.

Mr. Jim Drake, Hayward resident, asked about the cost for investment portfolio management services and if the contract was competitively bid. City staff clarified the cost and confirmed that the City conducted a competitive Request for Proposal selection process.

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

Resolution 15-063, “Resolution Authorizing the City Manager to Execute Contract with PFM Asset Management LLC for Investment Portfolio Management Services”



**MINUTES OF THE CITY COUNCIL MEETING  
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City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, May 5, 2015, 7:00 p.m.**

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4. Authorization to Negotiate and Execute a Professional Services Agreement with Brainchild Creative for FY 2015 Marketing and Advertising Services not to Exceed \$100,000

Staff report submitted by Community and Media Relations Officer Holland, dated May 5, 2015, was filed.

Mr. Jim Drake, Hayward resident, asked if the contract was competitively bid. Council Member Zermeño noted there was a competitive Request for Proposal selection process.

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

Resolution 15-064, “Resolution of the City Council of the City of Hayward Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Brainchild Creative for Marketing Services”

5. Authorization for City Manager to Execute a Master Lease Purchase Agreement with Municipal Financial Corporation for the Lease-Purchase of a Fire Apparatus in the Amount of \$1,276,000

Staff report submitted by Deputy Director of Finance Claussen, dated May 5, 2015, was filed.

Mr. Jim Drake, Hayward resident, did not agree that loans from sewer funds should be used to procure fire apparatus.

Ms. Wynn Greich, Hayward resident, did not agree that the City should use sewer funds to finance the lease-purchase of fire apparatus.

Mayor Halliday noted the staff report would be presented at a future meeting for Council’s consideration.

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

It was noted that the report would be presented to the Council on May 26, 2015.

## **LEGISLATIVE BUSINESS**

7. Transmittal of the Comprehensive Annual Financial Report for the Year Ended June 30, 2014; and of the Memorandum on Internal Control and Required Communications

Staff report submitted by Deputy Director of Finance Claussen, dated May 5, 2015, was filed.

Finance Director Vesely announced the report and introduced Deputy Director of Finance Claussen who provided a synopsis of the staff report. Ms. Katherine Yuen with Maze and Associates provided a synopsis of the audit findings of the City's financial statements for the fiscal year ended June 30, 2014, and noted Maze and Associates issued the Memorandum on Internal Control.

Discussion ensued among Council members, City staff, and Ms. Yuen related to the City's Comprehensive Annual Financial Report (CAFR); findings in the audit related to three material weaknesses in internal control; Funding Retiree Healthcare Liabilities (OPEB) and the recommendation of a sound fiscal policy; GASB 68- Accounting and Financial Reporting for Pensions; the implementation of the new financial system MUNIS; and Finance staffing and succession planning.

There being no public comments, Mayor Halliday opened and closed the public hearing at 8:49 p.m.

Council Member Lamnin commended City staff on the work done and pointed out that at a Council meeting on May 26, 2015, the Council would have the opportunity to further discuss annual benefit liabilities.

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

Resolution 15-065, "Resolution Accepting the Comprehensive Annual Financial Report for the Year Ended June 30, 2014; and the Memorandum of Internal Controls and Required Communications"

## **INFORMATION ITEMS**

There were none.

## **CITY MANAGER'S COMMENTS**

City Manager David made two announcements: 1) the Community Engagement Open House on June 8, 2015, at City Hall; and 2) the San Mateo Bridge would be closed May 8-11, 2015, and during Memorial Day weekend.

## **COUNCIL REPORTS, REFERRALS, AND FUTURE AGENDA ITEMS**

Council Member Márquez made two announcements: 1) the City was accepting applications for service on the Hayward Youth Commission and the deadline to apply was May 14, 2015; and 2) the fundraiser for Karen Norell's grandson, Wyatt, at San Marcos Mexican Restaurant on May 13, 2015.



**MINUTES OF THE CITY COUNCIL MEETING  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, May 5, 2015, 7:00 p.m.**

---

Council Member Zermeño announced the Hayward Education Foundation Heroes Dinner at the Golden Peacock Restaurant on May 7, 2015.

Council Member Lamnin encouraged the public to visit the City's website for information about volunteering opportunities and job openings.

Council Member Mendall announced the Hayward Executive Airport Open House on May 17, 2015.

Mayor Halliday announced the Mt. Eden High School Concert Choir would be performing in New York City on May 10, 2015, at the Carnegie Hall, and wished them good luck.

**ADJOURNMENT**

Mayor Halliday adjourned the meeting at 9:00 p.m., in memory of Viola Florence and Ray Diaz.

Ms. Viola Florence was a lifelong resident of Hayward, attended Hayward schools, was active in the community, was a volunteer and lifelong member of the Hayward Area Historical Society, was a member of the Young Ladies Institute of All Saints Catholic Church, and a member of the Hill and Valley Club.

Mr. Ray Diaz was the manager of Cypress House Apartments, cared about his residents and the Jackson Triangle neighborhood, was active in the Hayward Promise Neighborhood, and was an advocate for children and families. Mayor Halliday asked staff to work with both families to coordinate planting trees in their memories.

**APPROVED:**

Barbara Halliday  
Mayor, City of Hayward

**ATTEST:**

Miriam Lens  
City Clerk, City of Hayward

**DATE:** May 19, 2015

**TO:** Mayor and City Council

**FROM:** Development Services Director

**SUBJECT:** Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Assessments for Fiscal Year 2016; Reconfirm Maximum base assessment Rates for Zones 1, 2, 4 and 5; and Set July 7, 2015, as the Public Hearing Date for Such Actions for Consolidated Landscaping and Lighting District No. 96-1, Zones 1 through 13

#### **RECOMMENDATION**

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

#### **SUMMARY**

The annual Engineer's Report (the Report) for Consolidated Landscaping and Lighting District No. 96-1 (the "District"), is included as Attachment II and includes the following information: (1) a description by benefit zone of the improvements to be operated, maintained, and serviced by the District; (2) an estimated budget for each benefit zone for the District; and (3) a list of the assessments proposed to be levied upon each assessable parcel within the District for Fiscal Year 2016.

The Fiscal Year 2016 assessment rates for properties in two benefit zones are proposed to be levied at their maximum base assessment rate (zones 6 and 12), while the assessments for the other 11 zones are proposed to be levied below their maximum base assessment rate. Only benefit zones 3 and 7 thru 13 can have their maximum base assessment rates increased each fiscal year based upon the prior year's increase in the Consumer Price Index (CPI). These increases in the maximum base assessment rates would be in compliance with the provisions of Proposition 218 because they would not exceed previously established assessment formulas that incorporated an annual CPI adjustment factor.

#### **BACKGROUND**

The Landscaping and Lighting Act of 1972 (Streets and Highways Code §22500) is a flexible tool used by local government agencies to form Landscaping and Lighting Districts for the purpose of financing the costs and expenses of operating, maintaining and servicing landscaping (including parks) and lighting improvements in public areas.

The 1972 Act requires that an annual review and updated Engineer’s Report be prepared to set assessment amounts for landscaping and lighting district zones each fiscal year. The assessment amounts may or may not change from fiscal year to fiscal year, depending upon maintenance needed to be performed, and cannot exceed the maximum base assessment rates established when the zones were originally formed, plus an annual CPI adjustment, where applicable.

In 1996, six separate Landscaping and Lighting Districts, Benefit Zones 1-6, were consolidated into one district, Consolidated Landscaping and Lighting District No. 96-1 (the District), by the adoption of Resolution No. 96-63. In subsequent years, Benefit Zones 7-13 were individually created and annexed into the District. Table 1 below provides general information regarding the year in which each benefit zone was formed and the assessable number of parcels within each benefit zone.

<b>TABLE 1: DESCRIPTION OF EXISTING BENEFIT ZONES</b>				
<b>Zone Number</b>	<b>Name/Location</b>	<b>Year Formed</b>	<b>Type of Development</b>	<b>Number of Assessed Parcels</b>
1	Huntwood Ave. & Panjon St.	1990	Residential	30
2	Harder Rd. & Mocine Ave.	1991	Residential	85
3	Hayward Blvd. & Fairview Ave.	1992	Residential	155
4	Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk.	1995	Residential	175
5	Soto Rd. & Plum Tree St.	1995	Residential	38
6	Peppertree Park (assessable linear street frontage)	1982	Industrial	11
7	Mission Blvd., Industrial Pkwy, & Arrowhead Wy.	1998	Residential	348
8	Capitola St.	1999	Residential	24
9	Orchard Ave.	2000	Residential	74
10	Eden Shores	2003	Residential	534
11	Stonebrae Country Club Development (current & future development.)	2006	Residential	557
12	Eden Shores East	2007	Residential	261
13	Cannery Place	2008	Residential	599
<b>Total</b>				<b>2,891</b>

Table 2 on the following page lists the assessment amounts in Fiscal Year 2015, the recommended assessment amounts to be levied for Fiscal Year 2016, and the maximum base assessment rates for each benefit zone that were established when the zones were created.

TABLE 2: ASSESSMENT AMOUNTS PER BENEFIT ZONE					
Zone Number	Name/Location	Fiscal Year 2015 Assessment Amount	Fiscal Year 2016 Assessment Amount	Maximum Base Assessment Amount	CPI Index Adjustment
1	Huntwood Ave. & Panjon St.	\$265.64	\$265.64	\$295.83	No
2	Harder Rd. & Mocine Ave.	\$93.08	\$93.08	\$193.39	No
3	Hayward Blvd. & Fairview Ave.	\$782.20	\$797.06	\$845.50	Yes
4	Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk.	\$121.00	\$121.00	\$180.00	No
5	Soto Rd. & Plum Tree St.	\$139.12	\$198.50	\$258.67	No
6 <sup>(1,2)</sup>	Peppertree Park	\$2.61	\$2.61	\$2.61	No
7	Mission Blvd., Industrial Pkwy, & Arrowhead Wy.	\$553.00	\$563.52	\$884.35	Yes
8	Capitola St.	\$250.00	\$250.00	\$632.49	Yes
9	Orchard Ave.	\$10.00	\$20.00	\$168.88	Yes
10	Eden Shores - Resident	\$356.20	\$356.20	\$1,007.03	Yes
11	Stonebrae Country Club (Current Development)	\$379.42	\$379.42	\$1,428.32	Yes
11	Stonebrae Country Club (Future Development)	\$200.94	\$200.94	\$1,428.32	Yes
12 <sup>(1)</sup>	Eden Shores - Sports Park	\$185.72	\$189.26	\$189.26	Yes
13	Cannery Place	\$150.00	\$361.00	\$1,074.04	Yes

Notes: <sup>(1)</sup> Shaded items reflect Fiscal Year 2016 assessment amounts levied at the base maximum assessment amounts.

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

Except for Benefit Zone 12, the City administers all capital reserve funds for all benefit zones, which can be used in the event capital facilities or improvements need major repair or replacement due to failure, damage or vandalism. For Zone 12, an agreement between the City and the Hayward Area Recreation and Park District (HARD) allows HARD to maintain the Alden E. Oliver Sports Park. The assessments pay for the City's administrative costs and a portion of the HARD maintenance services cost for the Sports Park. The capital reserve fund for Benefit Zone 12 is administered by HARD.

## DISCUSSION

*Mandated Water Conservation* - On April 1, 2015, Governor Edmund G. Brown Jr. issued an executive order to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water. Governor Brown called on all Californians to reduce their water use by an average of 25 percent. In order to comply with that effort, City staff will attempt to reduce each benefit zone's water consumption by up to 30 percent. In Fiscal Year 2016, the cost savings resulting from the reduction of water use will be used to identify and implement more water efficient irrigation systems, where possible, within each benefit zone.

*Adjustment of Maximum Base Assessments for Zones 1, 2, 4 and 5* – Part of the consultant's scope of work was to develop a capital replacement plan for each of the benefit zones within the LLAD. As part of that process to develop a capital replacement plan, which is not typical of the annual Engineer's Report formation process, the consultant reviewed the original District formation documents from 1991-1997 for each zone to verify that all capital replacement items were included in the capital replacement plan. While reviewing those original formation documents, the consultant noticed that formation budgets in zones 1, 2, 4 and 5 showed higher maximum base assessment rates than what has been shown in previous Engineer's Reports since Fiscal Year 1997. In response, City staff and the consultant conducted a detailed review of all prior documents dating

back to 1991 and could not find any information on why incorrect maximum base assessment rates were provided. After consultation with the City Attorney, it was determined that the maximum base assessment rates shown in the formation documents were the correct maximum base assessment rates to use going forward. Therefore, in the Fiscal Year 2016 Engineer's Report, the following maximum base assessment amounts (the maximum rate that could be assessed) have been adjusted going forward:

Zone 1 – From \$265.64 to \$295.83 per parcel

Zone 2 – From \$93.08 to \$193.39 per parcel

Zone 4 – From \$121.00 to \$180.00 per parcel

Zone 5 – From \$139.12 to \$258.67 per parcel

Zone 1 – Huntwood Avenue & Panjon Street – For Fiscal Year 2016, the assessment amount will remain at \$265.64 per parcel. The proposed assessment amount is below the maximum base assessment rate of \$295.83 per parcel.

Zone 2 – Harder Road & Mocine Avenue – For Fiscal Year 2016, the assessment amount will remain at \$93.08 per parcel. The proposed assessment amount is below the maximum base assessment rate of \$193.39 per parcel.

Zone 3 – Prominence Residential – Hayward Boulevard and Fairview Avenue – For Fiscal Year 2016 the assessment amount will be increased from \$782.20 to \$797.06 per parcel, which is supported by the Landscape Committee and is below the maximum base assessment rate of \$845.50 per parcel. The Prominence Landscape Committee will continue to shift its focus from funding major capital improvements to funding major maintenance issues. The proposed maintenance projects for Fiscal Year 2016 consist of: 1) Entrance Sign Painting; 2) Clean Cobblestone Drainage Borders; 3) Plant Replacement; 4) Major Mulching; 5) Modify Drip Sprinkler Lines; 6) Calsense Repairs/Upgrades; 7) Tree Removal; and 8) Enhance Drainage System.

Zone 4 – Stratford Development -Pacheco Way, Stratford Road, Russ Lane and Ward Creek – For Fiscal Year 2016, the assessment amount will remain at \$121.00 per parcel. The proposed assessment amount is below the maximum base assessment rate of \$180.00 per parcel.

Zone 5 – Soto Road & Plum Tree Street – For Fiscal Year 2016, the assessment amount will be increased \$59.38 from \$139.12 to \$198.50 per parcel. The estimated budget for Fiscal Year 2016 is \$7,400, which is approximately \$1,500 or 25 percent more than the Fiscal Year 2015 budget of \$5,900, due to additional maintenance work to be performed by City crews. The proposed assessment amount is below the maximum base assessment rate of \$258.67 per parcel.

Zone 6 – Peppertree Park – For Fiscal Year 2016, the assessment amount will remain at \$2.61 per linear foot of street frontage. The proposed assessment amount is at the maximum base assessment rate of \$2.61 per linear foot.

Zone 7 – Twin Bridges Residential – For Fiscal Year 2016, the assessment amount will be increased \$10.52 from \$553.00 to \$563.52 per parcel. The estimated budget for Fiscal Year 2016 is approximately \$191,127, which is approximately \$2,300 or 1.2 percent more than the Fiscal Year

2015 budget of \$188,838, due to increased utilities costs and additional maintenance work to be performed by City crews. The proposed assessment amount is well below the maximum base assessment rate of \$884.35 per parcel.

Zone 8 – Capitola Street – For Fiscal Year 2016, the assessment amount will remain at \$250.00 per parcel. The estimated budget for Fiscal Year 2016 is \$7,219, which is approximately \$1,300 or 23 percent more than the Fiscal Year 2015 budget of \$5,879, due to increased additional maintenance work to be performed by City crews. However, the assessment amount will remain the same because there are sufficient operating and capital reserves. The proposed assessment amount is well below the maximum base assessment rate of \$632.49 per parcel.

Zone 9 – Orchard Avenue – For Fiscal Year 2016, the assessment amount will be increased \$10.00 from \$10.00 to \$20.00 per parcel. The estimated budget for Fiscal Year 2016 is \$4,075, which is approximately \$2,300 or 126 percent more than the Fiscal Year 2015 budget of \$1,800. City staff requests the increase to abate graffiti, perform minor repair of the decorative concrete wall along the railroad tracks and replant Boston Ivy previously planted along this decorative wall. If a graffiti abatement issue arises, then the appropriate funds will have been budgeted. If a graffiti issue does not occur, then the unused funds will go into the capital reserve fund and future annual assessments will be adjusted accordingly. The proposed assessment amount is well below the maximum base assessment rate of \$168.88 per parcel.

Zone 10 – Eden Shores - Residential – For Fiscal Year 2016, the assessment amount will remain at \$356.20 per parcel. The estimated budget for Fiscal Year 2016 is approximately \$197,481, which is approximately \$10,500 or 5.6 percent more than the Fiscal Year 2015 budget of \$186,954, due to increased utility costs, and additional maintenance work to be performed by City crews. However, the assessment amount will remain the same because there are sufficient operating and capital reserves. The proposed assessment amount is well below the maximum base assessment rate of \$1,007.03 per parcel.

The Eden Shores Homeowners Association (HOA) has a maintenance contract with the City, which allows the HOA to perform maintenance work and be reimbursed for such work by the City using Benefit Zone 10 funds. The HOA has requested that its maintenance contract be renewed and that the estimated maintenance budget be increased as shown above. Therefore, staff recommends that the current contract with Eden Shores HOA be continued for another year.

Zone 11 – Stonebrae Development - For Fiscal Year 2016, the assessment amount will remain at \$379.42 per parcel for existing development and \$200.94 for vacant parcels (future development). The estimated budget for Fiscal Year 2016 is approximately \$192,735, which is slightly less than the Fiscal Year 2015 budget of \$194,310. However, expenses for maintenance are still expected to exceed anticipated revenue from assessments by approximately \$3,700. Staff is proposing to hold the assessment at the same level as Fiscal Year 2015 because Benefit Zone 11 has healthy operating and capital reserves. Decreasing the capital reserves to cover the operating shortfall will not have a detrimental impact. The proposed assessment amount is well below the maximum base assessment rate of \$1,428.32 per parcel.

Similar to the Eden Shores residential development, the Stonebrae HOA also has a maintenance contract with the City, where maintenance work associated within this benefit zone is performed by the HOA. The Stonebrae HOA indicates work performed by its contractor meets the intended scope of work; therefore, the HOA and City staff recommend that the current contractors be retained to perform the maintenance work.

Zone 12 – Eden Shores – Sport Park - For Fiscal Year 2016, the assessment amount will be increased \$3.54 from \$185.72 to \$189.26 per parcel. An agreement between the City and Hayward Area Recreation and Park District (HARD) allows HARD to maintain the Alden E. Oliver Sports Park. The collected assessment from this benefit zone pays for the City’s administrative costs and a fair-share portion of the HARD maintenance services cost for the Sports Park. The assessment amount is at the maximum base assessment rate of \$189.26 and was increased by the prior year’s change in the Consumer Price Index for the San Francisco-Oakland-San Jose Area (1.90 percent increase).

Zone 13 – Cannery Place - For Fiscal Year 2016, the assessment amount will be increased \$211.00 from \$150.00 to \$361.00 per parcel. The estimated budget for Fiscal Year 2016 is approximately \$216,500, which is approximately \$171,700 or 383 percent more than the Fiscal Year 2015 budget of \$44,800. This significant increase is due to the transfer of responsibility for the development’s landscaping and street lighting improvements from the developers to the City June 30, 2015. In prior fiscal years, the developers paid for a majority of the annual operation and maintenance costs for the landscaping and street lighting improvements while the development was still in the final stages of construction. Therefore, the Fiscal Year 2016 operation and maintenance budget will consist of the first full fiscal year of operation and maintenance responsibility being assumed by the City and paid for by the zone assessments. The proposed assessment amount is well below the maximum base assessment rate of \$1,074.04 per parcel.

Proposition 218 Compliance - Proposition 218 states that if the assessments levied do not exceed a previously approved assessment formula, then the assessments are in compliance with Proposition 218. In accordance with the original assessment formulas, the maximum base assessment rates for Zones 3 and 7 through 13 have been adjusted based upon the prior year’s increase in the CPI (1.90 percent increase for the San Francisco-Oakland-San Jose Area) and are in compliance with Proposition 218. For Fiscal Year 2016, all assessments are proposed to be levied in compliance with Proposition 218 and do not require the noticing and balloting of property owners to obtain their approval. Any future increases in the assessment amounts that exceed the base maximum assessment amount would require the noticing and balloting of property owners.

## **FISCAL IMPACT**

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

## **PUBLIC CONTACT**

Before the City Council public hearing on July 7, 2015, notices will be published once in *The Daily Review* newspaper and sent to all affected property owners about the hearing. A public meeting has been scheduled for June 10, 2015 for the property owners within the District. At that meeting, staff will be available to explain the District's responsibilities, increases in the maximum base assessment rates and funding, and property owners will be given the opportunity to ask questions regarding assessments and services. The property owners may also raise concerns about assessments during the July 7, 2015 Council hearing.

## **NEXT STEPS**

If the City Council adopts the attached resolution of intention, staff will schedule a noticed public hearing on July 7, 2015, for the City Council to consider approving the Engineer's Report and ordering the levy of assessments for Fiscal Year 2016.

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

*Recommended by:* David Rizk, AICP, Development Services Director

Approved by:



---

Fran David, City Manager

Attachments:

Attachment I Resolution

Attachment II Preliminary Engineer's Report

Attachment III District Formation Budgets for Zones 1, 2, 4, and 5

HAYWARD CITY COUNCIL

RESOLUTION NO. 15-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION PRELIMINARILY APPROVING ENGINEER'S REPORT,  
DECLARING INTENTION TO LEVY ASSESSMENTS FOR FISCAL  
YEAR 2016 FOR CONSOLIDATED LANDSCAPING AND LIGHTING  
DISTRICT NO. 96-1, ZONES 1-13, AND SETTING JULY 7, 2015,  
AS THE PUBLIC HEARING DATE

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

1. On May 7, 1996, the Consolidated Landscaping and Lighting District No. 96-1, Zones 1-6 (the "District") was established by the adoption of Resolution No. 96-93 and, subsequently, Zones 7-13 were respectively annexed to the District.
2. The Engineer of Work has prepared a report in accordance with the provisions of Article XIID, Section 4, of the California Constitution, provisions of the Landscaping and Lighting Act of 1972, Section 22500 *et seq.* of the California Streets and Highways Code. Said report has been made, filed, and duly considered by this City Council and is hereby deemed sufficient and preliminarily approved. Said report shall stand as the report for all subsequent proceedings relating to the proposed levy of District assessments for Fiscal Year 2016.
3. It is the intention of the City Council to order the levy and collection of assessments within the District for Fiscal Year 2016.
4. The maximum base assessment amount is clarified to be \$295.84 per parcel for Benefit Zone No. 1, based upon review of the originally adopted zone formation budget which included a maximum base assessment amount of \$295.84 per parcel, not \$265.64 per parcel as previously thought.
5. The maximum base assessment amount is clarified to be \$193.39 per parcel for Benefit Zone No. 2, based upon a review of the originally adopted zone formation budget in which included a maximum base assessment amount of \$193.39 per parcel, not \$93.08 per parcel as previously thought.

6. The maximum base assessment amount is clarified to be \$180.00 per parcel for Benefit Zone No. 4, based upon a review of the originally adopted zone formation budget which included a base assessment amount of \$180.00 per parcel, not \$121.00 per parcel as previously thought.
7. The maximum base assessment amount is clarified to be \$258.67 per parcel for Benefit Zone No. 5, based upon a review of the originally adopted zone formation budget which included a maximum base assessment amount of \$258.67 per parcel, not \$139.12 per parcel as previously thought.
8. Reference is hereby made to the aforementioned report on file with the City Clerk for a full and detailed description of the improvements, the boundaries of the proposed District, and the proposed assessments upon assessable lots within said District.
9. On July 7, 2015, at the hour of 7:00 p.m., in the regular meeting place of this City Council, City Council Chambers, 777 B Street, Hayward, California, a public hearing will be held on the levy of the proposed assessments. Prior to the conclusion of said public hearing, any interested person may file a written protest with the City Clerk, or having previously filed a protest, may file a written withdrawal of that protest. A written protest by a property owner shall contain a description sufficient to identify the property owned by such owner.
10. The City Clerk is hereby directed to cause a notice of said meeting and hearing to be made in the form and manner provided by applicable laws.

IN COUNCIL, HAYWARD, CALIFORNIA May 19, 2015,

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

PRELIMINARY ENGINEER'S REPORT

CITY OF HAYWARD

CONSOLIDATED LANDSCAPING &  
LIGHTING ASSESSMENT DISTRICT No. 96-1

Fiscal Year 2016



May 19, 2015

	Page No.
Agency Directory .....	3
Certificates .....	4
SECTION I Introduction .....	5
Table 1: Description of Existing Benefit Zones .....	5
Table 2: Assessment Amounts per Benefit Zone .....	10
SECTION II Engineer's Report .....	11
Part A - Plans and Specifications .....	13
Part B - Estimate of Cost .....	25
Table 3: Fiscal Year 2016 Revenue by Benefit Zone .....	25
Part C - Assessment District Diagram .....	26
Part D - Method of Apportionment of Assessment .....	27
Part E - Property Owner List & Assessment Roll .....	33
 Appendix A - Detailed Project Cost Breakdown	
 Appendix B - Vicinity Map	
 Appendix C - Assessment Diagram	
 Appendix D - Fiscal Year 2016 Assessment Roll	

CITY COUNCIL MEMBERS AND CITY STAFF

Barbara Halliday  
Mayor

Greg Jones  
Council Member

Sara Lamnin  
Council Member

Elisa Marquez  
Council Member

Al Mendall  
Council Member

Marvin Peixoto  
Council Member

Francisco Zermeno  
Council Member

Fran David  
City Manager

Michael Lawson  
City Attorney

Miriam Lens  
City Clerk

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

Joseph A. Francisco, P.E.  
Engineer of Work

ENGINEER'S REPORT  
CITY OF HAYWARD  
LANDSCAPING & LIGHTING ASSESSMENT DISTRICT No. 96-1  
FISCAL YEAR 2016

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

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Joseph A. Francisco, P.E.  
RCE No. 40688

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 \_\_\_\_\_, 2015.

Miriam Lens  
City Clerk, City of Hayward

By: \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Hayward, Alameda County, California, on the \_\_\_\_ day of \_\_\_\_\_, 2015.

Miriam Lens  
City Clerk, City of Hayward

By: \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was filed with the County Auditor of the County of Alameda, on the \_\_\_\_ day of \_\_\_\_\_, 2015.

By: \_\_\_\_\_

Joseph A. Francisco, P.E.  
RCE No. 40688

SECTION I  
INTRODUCTION

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

FISCAL YEAR 2016

***Background Information***

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

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

TABLE 1: DESCRIPTION OF EXISTING BENEFIT ZONES				
Zone Number	Name/Location	Year Formed	Type of Development	Number of Assessable Parcels
1	Huntwood Ave. & Panjon St.	1990	Residential	30
2	Harder Rd. & Mocine Ave.	1991	Residential	85
3	Hayward Blvd. & Fairview Ave.	1992	Residential	155
4	Pacheco Way, Stratford Rd, Russ Ln, Ward Creek	1995	Residential	175
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7	Mission Blvd., Industrial Pkwy, & Arrowhead Way	1998	Residential	348
8	Capitola St.	1999	Residential	24
9	Orchard Ave.	2000	Residential	74
10	Eden Shores Residential	2003	Residential	534
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12	Eden Shores East - Alden E. Oliver Sports Park	2007	Residential	261
13	Cannery Place	2008	Residential	599
<b>Total</b>				<b>2,910</b>

*Mandated Water Conservation*

On April 25, 2015, Governor Edmund G. Brown Jr. issued an executive order to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water. Governor Brown called on all Californians to reduce their water use by an average of 25 percent. In order to comply with that effort, City staff will attempt to reduce each benefit zone's water consumption up to 30%. In FY 2016, the cost savings resulting from the reduction of water use will be used to identify and implement more water efficient irrigation systems, where possible, within each benefit zone.

*Benefit Zones*

Benefit Zone No. 1 assessment amount will remain at \$265.64 per parcel in FY 2016. The assessment amount for this zone is below the maximum base assessment amount of \$295.83 per parcel. In FY 2016 \$1,900.00 has been budgeted for unforeseen additional work (e.g. repairs/replacement). If the additional work occurs in FY 2016 it would be funded through the capital reserves budget. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount does not increase annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount above the maximum base assessment amount would require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 2 assessment amount will remain at \$93.08 per parcel in FY 2016. The assessment amount for this zone is below the maximum base assessment amount of \$193.39 per parcel. In FY 2016 \$1,300.00 has been budgeted for unforeseen additional work (e.g. repairs/replacement). If the additional work occurs in FY 2016 it would be funded through the capital reserves budget. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount does not increase annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount above the maximum base assessment amount would require the noticing and balloting of property owners per the requirements of Proposition 218.

In 1992, Benefit Zone No. 3 was established and the maximum base assessment amount was set at \$328.82 per parcel without an escalation clause allowing for an annual increase based upon the prior year's change in the Consumer Price Index. In FY 2004, a group of property owners formed a Landscape Committee for the purpose of addressing the substandard landscaping conditions that had arisen in Benefit Zone No. 3. The Landscape Committee developed a comprehensive landscape plan and presented the plan to City staff and property owners within Benefit Zone No. 3. After receiving City and property owner support, the Landscape Committee proposed to increase assessments to fund the construction of additional landscape improvements and to increase the level of maintenance for the existing and proposed landscaping within Benefit Zone No. 3. In FY 2006 the City conducted a mailed ballot election to determine if there was sufficient support to increase assessments. The assessment increase was approved by a majority of the property owners who voted. Therefore, in FY 2006 the annual assessment amount per parcel was increased from \$328.82 to \$1,023.56 per parcel. This increase in the maximum base assessment amount consisted of two components; \$694.52/yr. for maintenance and \$329.04/yr. for the construction of capital improvements. The maximum base assessment amount for constructing the capital improvements was only charged for three (3) years. In FY 2009 the maximum base assessment amount increase associated with the construction of capital improvements was eliminated. Each fiscal year, commencing in FY 2009, the maximum base assessment amount for the maintenance component, \$694.52 was increased annually based upon the prior year's change in the Consumer Price Index for the San Francisco-Oakland-San Jose Area. For FY 2016 the assessment amount will be \$797.06 per parcel, which is a \$14.86 per parcel increase over the FY 2015 amount of \$782.20 per parcel and below the maximum base assessment amount of \$845.50 per parcel. In FY 2016 the Landscape Committee will continue to shift its focus from funding major capital improvements to funding major maintenance issues.

The proposed maintenance projects for FY 2016 consist of: 1) Entrance Sign Painting, 2) Clean Cobblestone Drainage Borders, 3) Plant Replacement, 4) Major Mulching, 5) Modify Drip Sprinkler Lines, 6) Calsense Repairs/Upgrades, and 7) Tree Removal and Enhance Drainage System. In FY 2016 \$9,000.00 has also been budgeted for unforeseen additional work (e.g. repairs/replacement). If the additional work occurs in FY 2016 it would be funded through the capital reserves budget. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 4 assessment amount will remain at \$121.00 per parcel in FY 2016. The assessment amount for this zone is below the maximum base assessment amount of \$180.00 per parcel. In FY 2016 \$2,000.00 has been budgeted for unforeseen additional work (e.g. repairs/replacement). If the additional work occurs in FY 2016 it would be funded through the capital reserves budget. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount does not increase annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount above the maximum base assessment amount would require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 5 assessment amount will be \$198.50 per parcel, which is a \$59.38 per parcel increase over the FY 2015 amount of \$139.12 per parcel and below the maximum base assessment amount of \$258.67 per parcel. The increase is needed to have the FY 2016 revenue equal the FY 2016 expenditures. In FY 2016 \$200.00 has also been budgeted for unforeseen additional work (e.g. repairs/replacement). If the additional work occurs in FY 2016 it would be funded through the capital reserves budget. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount does not increase annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount above the maximum base assessment amount would require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 6 assessment amount will remain at \$2.61 per linear foot per parcel in FY 2016. The assessment amount for this zone is at the maximum base assessment amount of \$2.61 per linear foot per parcel. In FY 2016 \$1,500.00 has been budgeted for unforeseen additional work (e.g. repairs/replacement). If the additional work occurs in FY 2016 it would be funded through the capital reserves budget. This maximum base assessment amount does not increase annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount above the maximum base assessment amount would require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 7 assessment amount will be \$563.52 per parcel, which is a \$10.52 per parcel increase over the FY 2015 amount of \$553.00 per parcel and below the maximum base assessment amount of \$884.35 per parcel. The increase is needed to keep pace with ordinary inflationary costs and to continue to build capital reserves. In FY 2016 \$4,500.00 has also been budgeted for unforeseen additional work (e.g. repairs/replacement). If the additional work occurs in FY 2016 it would be funded through the capital reserves budget. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 8 assessment amount will remain at \$250.00 per parcel in FY 2016 and below the maximum base assessment amount of \$632.49 per parcel. In FY 2016 \$900.00 has been budgeted for unforeseen additional work (e.g. repairs/replacement). If the additional work occurs in FY 2016 it would be funded through the capital reserves budget. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 9 assessment amount will be \$20.00 per parcel, which is a \$10.00 per parcel increase over the FY 2015 amount of \$10.00 per parcel and below the maximum base assessment amount of \$168.88 per parcel. In FY 2016, the budget for graffiti abatement work has increased from \$400.00 to \$2,000.00. If there is minimal graffiti abatement needed in FY 2016 any excess funds would be transferred to the reserves. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 10 assessment amount will remain at \$356.20 per parcel in FY 2016 and below the maximum base assessment amount of \$1,007.03 per parcel. In FY 2016 \$2,000.00 has also been budgeted for unforeseen additional work (e.g. repairs/replacement). If the additional work occurs in FY 2016 it would be funded through the capital reserves budget. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 11 assessment amount for the 429 parcels in the current development phase will remain at \$379.42 per parcel in FY 2016. The assessment amount for the remaining 147 parcels that will be developed in subsequent phases will remain at \$200.94 per parcel in FY 2016. The assessment amount for this zone is below the maximum base assessment amount of \$1,428.32 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

Benefit Zone No. 12 assessment amount will be increased from \$185.72 to \$189.26 per parcel for FY 2016, which is at the maximum base assessment amount per parcel. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. The City of Hayward has an agreement with the Hayward Area Recreation and Park District (HARD) to maintain the Alden E. Oliver Sports Park which benefits parcels within this benefit zone. The annual assessment pays for a minor portion of the Sport Park maintenance cost and City administrative costs associated with managing the benefit assessment program for this benefit zone.

Benefit Zone No. 13 assessment amount will be increased from \$150.00 to \$361.00 per parcel in FY 2016 and below the maximum base assessment amount of \$1,074.04 per parcel. In prior fiscal years the developer paid for a majority of the annual operation and maintenance costs for the landscaping and street lighting improvements. All of the development's landscaping and street lighting improvements will be transferred to the City prior to June 30, 2015. Therefore, the FY 2016 operation and maintenance

budget will consist of the first full fiscal year's operation and maintenance responsibility. In FY 2016 \$4,000.00 has also been budgeted for unforeseen additional work (e.g. repairs/replacement). If the additional work occurs in FY 2016 it would be funded through the capital reserves budget. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

In FY 2016, the City will be completing a capital reserve study in order to determine if there are adequate capital reserves within each benefit zone. Based upon the results of the capital reserve study, City staff will be able to determine if assessment rates need to be increased or decreased in order to ensure adequate capital reserves will be in place.

*Proposition 218 Compliance*

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

These new procedures stipulate that even if assessments are initially exempt from Proposition 218, future increases in assessments must comply with the provisions of Proposition 218. However, if the increase in assessment was anticipated in the assessment formula (e.g., to reflect the Consumer Price Index or an assessment cap) then the City would be in compliance with the provisions of Proposition 218 if assessments did not exceed the assessment formula. The FY 2016 assessments proposed within the Engineer's Report are equal to or less than the maximum base assessment amount authorized; therefore, the vote requirements of Section 4 of Article XIII D do not apply to these proceedings.

Benefit zones 3 and 7 thru 13 have an allowance within their respective assessment formulas to increase their maximum base assessment amount based upon the change in the prior year's Consumer Price Index. The Consumer Price Index which is used for this calculation is the Consumer Price Index for Urban Wage Earners and Clerical Workers within the San Francisco-Oakland-San Jose Area, as published by the Bureau of Labor and Statistics on a bi-monthly basis. For those benefit zones with CPI Index adjustments, the CPI Index that was used last fiscal year, Fiscal Year 2015 was 249.809 (February 2014). The most current available CPI index available at the time of preparing this report was 249.809 (February 2015), which translates to a 1.90% (249.809/249.809) increase from Fiscal Year 2015. Therefore, the revised maximum base assessment amounts that could be levied in Fiscal Year 2016 for benefit zones 3 and 7 thru 13 is equal to the maximum base assessment amount in Fiscal Year 2015 increased by 1.90%. Future CPI increases in the maximum base assessment amount do not require the noticing and balloting of property owners per the requirements of Proposition 218.

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

Table 2 below lists the assessment amounts levied in FY 2015, the proposed assessment amounts for FY 2016 and the maximum base assessment amounts for each benefit zone.

Zone Number	Name/Location	Fiscal Year 2015 Assessment Amount	Fiscal Year 2016 Assessment Amount	Maximum Base Assessment Amount	CPI Index Adjustment
1	Huntwood Ave. & Panjon St.	\$265.64	\$265.64	\$295.83	No
2	Harder Rd. & Mocine Ave.	\$93.08	\$93.08	\$193.39	No
3	Hayward Blvd. & Fairview Ave.	\$782.20	\$797.06	\$845.50	Yes
4	Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk	\$121.00	\$121.00	\$180.00	No
5	Soto Rd. & Plum Tree St.	\$139.12	\$198.50	\$258.67	No
6 <sup>(1, 2)</sup>	Peppertree Park	\$2.61	\$2.61	\$2.61	No
7	Mission Blvd., Industrial Pkwy, & Arrowhead Wy.	\$553.00	\$563.52	\$884.35	Yes
8	Capitola St.	\$250.00	\$250.00	\$632.49	Yes
9	Orchard Ave.	\$10.00	\$20.00	\$168.88	Yes
10	Eden Shores Residential	\$356.20	\$356.20	\$1,007.03	Yes
11	Stonebrae Country Club (Current Development)	\$379.42	\$379.42	\$1,428.32	Yes
11	Stonebrae Country Club (Future Development)	\$200.94	\$200.94	\$1,428.32	Yes
12 <sup>(1)</sup>	Eden Shores East - Alden E. Oliver Sports Park	\$185.72	\$189.26	\$189.26	Yes
13	Cannery Place	\$150.00	\$361.00	\$1,074.04	Yes

Notes: <sup>(1)</sup> Bolded items reflect Fiscal Year 2016 assessment amounts levied at the base maximum assessment amounts.  
<sup>(2)</sup> Zone 6 is in the industrial district and is assessed based upon street frontage.

**Current Annual Administration**

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

The City of Hayward is proposing to hold a public hearing on July 7, 2015, to provide an opportunity for any interested person to be heard. At the conclusion of the public hearing, the City Council may adopt a resolution setting the annual assessment amounts as originally proposed or as modified. Following the adoption of this resolution, the final assessor's roll will be prepared and filed with the County Auditor's office to be included on the FY 2016 tax roll.

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

SECTION II

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

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

FISCAL YEAR 2016

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. 15-\_\_\_, preliminarily approving the Engineer's Report, as adopted by the City Council of the City of Hayward, on May 19, 2015, and in connection with the proceedings for:

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

Herein after referred to as the "Assessment District", I, Joseph A. Francisco, P.E., the duly appointed ENGINEER OF WORK, submit herewith the "Report" consisting of five (5) parts as follows:

**PART A: PLANS AND SPECIFICATIONS**

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

**PART B: ESTIMATE OF COST**

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

**PART C: ASSESSMENT DISTRICT DIAGRAM**

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

**PART D: METHOD OF APPORTIONMENT OF ASSESSMENT**

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

**PART E: PROPERTY OWNER LIST & ASSESSMENT ROLL**

This part contains a list of the Alameda County Assessor's Parcel numbers, and the net amount to be assessed upon the benefited lands within the Assessment District for FY 2016. The Assessment Roll is filed in the Office of the Hayward City Clerk and is incorporated in this report by reference. The list is keyed to the records of the Assessor of the County of Alameda, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

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

DESCRIPTION OF IMPROVEMENTS  
CITY OF HAYWARD  
LANDSCAPING & LIGHTING ASSESSMENT DISTRICT No. 96-1  
FISCAL YEAR 2016

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

Landscaping Facilities

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

Street Lighting Facilities

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

Open Space Facilities

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

Park/Trail Facilities

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

Maintenance means the furnishing of services and materials for the ordinary and usual operation, maintenance and servicing of the landscaping, public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping improvements, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; and the removal of trimmings, rubbish, debris and other solid waste; the cleaning, sandblasting, and painting of street lights and other improvements to remove graffiti.

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

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

Formed: November 13, 1990  
Resolution Number: 90-256  
30 parcels  
FY 2016 Assessment Amount per Parcel: \$265.64

- Surface maintenance of the street side of a 600-foot masonry wall along Huntwood Avenue. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;
- The ownership and responsibility of the masonry wall as a structure remains with the individual property owners; and
- Landscaping and irrigation includes an 8-foot-wide landscaped strip along Huntwood Avenue within a landscape easement.
- For FY 2016, the assessment amount will remain at \$265.64 per parcel. The assessment amount for this zone is below the maximum base assessment amount of \$295.83 per parcel and is sufficient for maintaining levels of service and for keeping a reserve balance. This maximum base assessment amount cannot be increased annually based upon the change in the Consumer Price Index.

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

Formed: July 25, 1991  
Resolution Number: 91-137  
85 parcels  
FY 2016 Assessment Amount per Parcel: \$93.08

- Surface maintenance of the street side of a 1,000-foot-long masonry wall along Harder Road, Mocine Avenue and a segment of Sunburst Drive. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;
- Surface maintenance of the 800-foot-long masonry wall adjacent to the railroad tracks located on the southwest side of Tract No. 6042. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;
- The ownership and responsibility of the masonry walls as a structure remains with the individual property owners; and
- Landscaping and irrigation includes the area between the sidewalk and wall along Harder Road and Mocine Avenue within a landscape easement.
- For FY 2016, the assessment amount will remain at \$93.08 per parcel. The assessment amount for this zone is below the maximum base assessment amount of \$193.39 per parcel and is sufficient for maintaining levels of service and for keeping a reserve balance. This maximum base assessment amount cannot be increased annually based upon the change in the Consumer Price Index.

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

Formed: June 23, 1992  
Resolution Number: 92-174  
155 parcels  
FY 2016 Assessment Amount per Parcel: \$797.06

- Surface maintenance of the street side of a mile-long masonry wall along Hayward Boulevard and Fairview Avenue. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;
- The ownership and responsibility of the masonry wall as a structure remains with the individual property owners;
- Landscaping and irrigation includes approximately one mile of landscaped frontage along Hayward Boulevard and Fairview Avenue with significant slope areas along the street; and
- In addition, several open space areas within the tract are maintained; however, there are no funds budgeted for maintenance of the non-irrigated, non-landscaped open space areas.
- In 1992, Benefit Zone No. 3 was established and the maximum base assessment amount was set at \$328.82 per parcel. In FY 2004, a group of property owners formed a Landscape Committee for the purpose of addressing the substandard landscaping conditions that had arisen in Benefit Zone No. 3. The Landscape Committee developed a comprehensive landscape plan and presented the plan to City staff and property owners within Benefit Zone No. 3. After receiving City and property owner support, the Landscape Committee proposed to increase assessments to fund the construction of additional landscape improvements and to increase the level of maintenance for the existing and proposed landscaping within Benefit Zone No. 3. In FY 2006 the City conducted a mailed ballot election to determine if there is sufficient support to increase assessments. The assessment increases were approved by a majority of the voters who voted. Therefore, in FY 2006 the annual assessment amount per parcel was increased from \$328.82 to \$1,023.56. This increase in the maximum base assessment amount consisted of two components; \$694.52/yr. for maintenance and \$329.04/yr. for the construction of capital improvements. The maximum base assessment amount for constructing the capital improvements was only charged for three (3) years. In FY 2009 the maximum base assessment amount increase associated with the construction of capital improvements was eliminated. Each fiscal year, commencing in FY 2009, the maximum base assessment amount for the maintenance component, \$694.52 may be increased annually based upon the prior year's change in the Consumer Price Index for the San Francisco-Oakland-San Jose Area.
- In FY 2016 the Landscape Committee will continue to shift its focus from funding major capital improvements to funding major maintenance issues. The proposed maintenance projects for FY 2016 consist of: 1) Entrance Sign Painting, 2) Clean Cobblestone Drainage Borders, 3) Plant Replacement, 4) Major Mulching, 5) Modify Drip Sprinkler Lines, 6) Calsense Repairs/Upgrades, and 7) Tree Removal and Enhance Drainage System.

- For FY 2016, the assessment amount will increase from \$782.20 to \$797.06 per parcel to ensure sufficient levels of service and for keeping a reserve balance. This assessment rate is below the maximum base assessment amount, which is \$845.50 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.
- The following capital improvements have been constructed with revenues received from the capital improvements portion of the annual assessment.

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

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

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

**FY 2007: Open Area South of 28525 Fox Hollow Drive**

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

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

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

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

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

FY 2011 through FY 2013: Calsense Sprinkler System Upgrade Project

During FY 2011 through 2013 the existing sprinkler system was upgraded to provide a more water efficient/conservative system, which is intended to cut back on water waste and reduce the costs for annual maintenance.

FY 2013: Landscape Upgrade Projects

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

FY 2014: Landscape Upgrade Projects

During 2014, the following improvements were completed: 1) entrance sign painting, 2) clean cobblestone drainage borders, 3) paint bus stop, 4) annual replanting, major mulching and modify drip sprinkler lines.

FY 2015: Landscape Upgrade Projects

During 2015, the following improvements were completed: 1) entrance sign painting, 2) cleaning cobblestone drainage borders, 3) Calsense upgrades, 4) annual replanting, major mulching, tree removal, graffiti abatement and modify drip sprinkler lines. The total costs of additional improvements installed/completed in Zone 3 since FY 2006 is \$334,000.

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

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

Formed: May 23, 1995

Resolution Number: 95-96

175 parcels

Annexed Tract 6682: January 23, 1996

FY 2016 Assessment Amount per Parcel: \$121.00

- Surface maintenance of the street side of a masonry wall along Pacheco Way and along the southern and eastern property boundaries. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;
- The ownership and responsibility of the masonry wall as a structure remains with the individual property owners;
- Approximately 21,000 square feet of landscaping adjacent to the Ward Creek Bike Pathway, including an irrigation system with electrical controllers;
- Approximately 2,100 square feet of median landscaping on Stratford Road and Ruus Lane;
- Approximately 7,500 square feet of landscaping along Pacheco Way;
- The landscaping, irrigation and appurtenances on the median island on Ruus Lane;
- Approximately 2,100 linear feet of asphalt bike pathway adjacent to Ward Creek between Pacheco Way and Folsom Avenue, and bike path striping on pathway;
- Approximately 50 linear feet of 4-foot-high black vinyl clad chain link fencing at two locations between Ward Creek and the asphalt pathway;
- A 14-foot-wide entry gate structure, an 8-foot-wide swing gate, and a 12-foot-wide swing gate;
- 32 linear feet of 8-foot-wide prefabricated steel bridge with wood deck; and
- Pedestrian access between Rosecliff Lane and Ward Creek Pathway.
- For FY 2016, the assessment amount will remain at \$121.00 per parcel. The assessment amount for this zone is below the maximum base assessment amount of \$180.00 per parcel and is sufficient for maintaining levels of service and for keeping a reserve balance. This maximum base assessment amount cannot be increased annually based upon the change in the Consumer Price Index.

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

Formed: May 23, 1995  
Resolution Number: 95-97  
38 parcels  
Annexed Tract 6754: October 17, 1995  
FY 2016 Assessment Amount per Parcel: \$198.50

- Surface maintenance of the street side of a masonry wall along Soto Road. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;
  - The ownership and responsibility of the masonry wall as a structure remains with the individual property owners;
  - Landscaping within the 10-foot-wide setback area between the masonry wall and the sidewalk (approximately 360 lineal feet);
  - Landscaping and appurtenances within the 5.5-foot-wide planter strip between the sidewalk and the curb return areas across the frontage of Tract 6641;
  - The curb return areas at the intersection of Soto Road and Plum Tree Street;
  - Landscaping and appurtenances located within the 10-foot-wide setback area between the masonry wall and the sidewalk (approximately 440 lineal feet); and
  - Landscaping and appurtenances within the 5.5-foot-wide planter strip between the sidewalk and the curb across the Soto Road frontage of Final Map Tract 6754.
  - For FY 2016, the assessment amount will increase from \$139.12 to \$198.50 per parcel. The assessment amount for this zone is below the maximum base assessment amount of \$258.67 per parcel and is sufficient for maintaining levels of service and for keeping a reserve balance. This maximum base assessment amount cannot be increased annually based upon the change in the Consumer Price Index.
- Zone 6 (Peppertree Park) – Tracts 4420 & Lot 2 of Tract 3337

Formed: May 11, 1982  
Resolution Number: 82-160  
11 parcels  
FY 2016 Assessment Amount per linear-foot of Street Frontage: \$2.61

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

- For FY 2016 the assessment amount will remain at \$2.61 per linear foot. The assessment amount for this zone is at the maximum base assessment amount of \$2.61 per linear foot and is sufficient for maintaining levels of service and for keeping a reserve balance. This maximum base assessment amount cannot be increased annually based upon the change in the Consumer Price Index.
- Zone 7 (Mission Boulevard, Industrial Parkway, Arrowhead Way) – Tract 7015

Formed: July 28, 1998  
Resolution Number: 98-153  
348 parcels  
FY 2016 Assessment Amount per Parcel: \$563.52

- Planting, irrigation, the multi-use pathway, landscape lighting and other associated improvements located within the landscape easements and street right-of-way along Mission Boulevard and Industrial Parkway;
- Medians and abutting landscaping along the Arrowhead Way entrance roads and traffic circles, including the bridge structure, signs, and decorative entry paving;
- Bus shelters;
- Walls and fences that face Mission Boulevard, Industrial Parkway, the Arrowhead Way entrance roads, the golf course and along the Line N drainage channel (including graffiti removal);
- Specialty street lighting; and
- A 2.00 acre neighborhood park.
- For FY 2016 the assessment amount will be increased from \$553.00 to \$563.52 per parcel. The increase is needed to keep pace with ordinary inflationary costs and to continue to build capital reserves. These assessment rates are below the maximum base assessment amount, which is \$884.35 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

- Zone 8 (Capitola Street) – Tract 7033

Formed: March 2, 1999  
Resolution Number: 99-030  
24 parcels  
FY 2016 Assessment Amount per Parcel: \$250.00

- Surface maintenance of the 8-foot-high decorative concrete wall along the tract's Hesperian Boulevard frontage. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair;
  - The ownership and responsibility of the wall as a structure remains with the individual property owners; and
  - A 10-foot-wide landscaped area, between the wall and the Hesperian Boulevard frontage, to be improved with landscaping, irrigation, and other associated improvements located within the landscaped area.
  - For FY 2016 the assessment amount will remain at \$250.00 per parcel because there are sufficient reserves. The FY 2016 assessment amount for this zone is below the maximum base assessment amount of \$632.49 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.
- Zone 9 (Orchard Avenue) – Tract 7063

Formed: April 25, 2000  
Resolution Number: 00-050  
74 parcels  
FY 2016 Assessment Amount per Parcel: \$20.00

- Surface maintenance of the 10-foot-high decorative concrete wall along the railroad and along the south property line abutting Lot 40. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair. To minimize this maintenance work, Boston Ivy is planted and maintained along most of the surface of the wall;
- The ownership and responsibility of the wall as a structure remains with the individual property owners.
- For FY 2016 the assessment amount will be increased from \$10.00 to \$20.00 per parcel to ensure there are sufficient funds available in the event graffiti abatement is needed. The FY 2016 assessment amount for this zone is below the maximum base assessment amount of \$168.88 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

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

Formed: June 24, 2003  
Resolution Number: 03-083  
534 parcels  
FY 2016 Assessment Amount per Parcel: \$356.20

- A 5.58 acre park within the development which includes landscaping and irrigation and playground equipment;
  - Medians, park strips and parkway landscaping and irrigation within the development;
  - Surface maintenance of the decorative concrete and masonry walls along the perimeter and within the tract. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair; and
  - The ownership and responsibility for the walls as structures remains with the individual property owners.
  - For FY 2016, the assessment amount will remain at \$356.20 per parcel to ensure sufficient levels of service and for keeping a reserve balance. This assessment rate is below the maximum base assessment amount, which is \$1,007.03 per parcel. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.
- **Zone 11 (Stonebrae Country Club)** – Tracts No. 5354

Formed: July 18, 2006  
Resolution Number: 06-096  
576 parcels  
FY 2016 Assessment Amount per Parcel in current development phase: \$379.42  
FY 2016 Assessment Amount per Parcel in future development phase: \$200.94

- Median, park strips, parkway landscaping and irrigation improvements and multi-use pathway improvements along Fairview Avenue, Carden Lane, Hayward Boulevard, Stonebrae County Club Drive, and the access road to the City water tank;
- Slope maintenance along Carden Lane, Fairview Avenue, Hayward Boulevard, and Stone Country Club Drive;
- Decorative walls facing Fairview Avenue and Hayward Boulevard but not including the view fence of the lots along Fairview Ave. This maintenance includes painting, cleaning, graffiti removal, and replacement of the improvements if needed;
- Street and landscape lighting along Fairview Avenue, Carden Lane, Hayward Boulevard; and along the frontage of the school at the intersection of Hayward Blvd/Stonebrae Country

Club Drive and Carden Lane. This maintenance includes electrical costs, and replacement of the improvements if needed;

- As part of the roadway modifications for the Stonebrae Development, the landscaped corner at Hayward Boulevard and Fairview Boulevard, previously located in benefit Zone No. 3, was substantially reduced in size and modified. The modified corner provides a benefit for the residents of the Stonebrae Development and is visually a vital part of the entrance to the development. By agreement of the Stonebrae developer and the City and following consultation with the Prominence Landscape Committee (Benefit Zone No. 3), the corner was removed from Benefit Zone No. 3 and annexed into the Stonebrae Benefit Zone (Benefit Zone No. 11). The Stonebrae developer modified the corner as necessary to separate the irrigation and plantings so that the residents of Benefit Zone No. 3 can be assured that they are not bearing any of the future ongoing costs for the maintenance of this area.
- The project is proposed to be developed in multiple phases. The current development phase consists of 429 single-family parcels (increased from 364 in FY 2015). The future development phases will consist of the remaining 147 single-family parcels (decreased from 212 in FY 2015). For FY 2016 the assessment amount will remain at \$379.42 per parcel in the current phase and remain at \$200.94 per parcel in the future phase. In addition, the Stonebrae HOA requested that \$27,000.00 be budgeted from reserves to fund landscape upgrades and replacement. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.
- **Zone 12 (Eden Shore East - Alden E. Oliver Sports Park)** – Tract 7489 & 7708

Formed: May 15, 2007  
Resolution Number: 07-031  
261 units  
FY 2016 Assessment Amount per Parcel: \$189.26

- Maintenance of the neighborhood serving features of the Alden E. Oliver Sports Park such as picnic tables, basketball courts, barbeque areas, soccer fields, etc.
- For FY 2016 the assessment amount will be increased from \$185.72 to \$189.26 per parcel which is at the maximum base assessment amount per parcel. This increase is necessary to maintain sufficient service levels for the HARD maintained park. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

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

Formed: June 17, 2008

Resolution Number: 08-090

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

FY 2016 Assessment Amount per Unit: \$361.00

- Approximately five (5) acres of park area which includes landscaping and irrigation and playground equipment and maintenance of a historic water tower within the development;
- Park strips and parkway landscaping and irrigation within the development;
- Maintenance of street trees;
- Maintenance of streetlights;
- Maintenance of paved walkways;
- Surface maintenance of the decorative concrete walls within the tract. This maintenance includes painting, cleaning, graffiti removal, and minor surface repair; and
- The ownership and responsibility for the walls as structures remains with the individual property owners.
- For FY 2016 the assessment amount will increase from \$150.00 to \$361.00 per parcel. In prior fiscal years the developer paid for a majority of the annual operation and maintenance costs for the landscaping and street lighting improvements. All of the development's landscaping and street lighting improvements will be transferred to the City prior to June 30, 2015. Therefore, the FY 2016 operation and maintenance budget will consist of the city's first full fiscal year's operation and maintenance responsibility. In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

PART B

ESTIMATE OF COST

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

The estimated FY 2016 expenditures for the proposed District are itemized by zone as follows:

Zone Number	Name/Location	Estimated Revenue for Fiscal Year 2016
1	Huntwood Ave. & Panjon St.	\$7,969.20
2	Harder Rd. & Mocine Ave.	\$7,911.80
3	Hayward Blvd. & Fairview Ave.	\$123,544.30
4	Pacheco Wy., Stratford Rd, Russ Ln, Ward Crk.	\$21,175.00
5	Soto Rd. & Plum Tree St.	\$7,543.00
6	Peppertree Pk.	\$13,034.28
7	Mission Blvd., Industrial Pkwy, & Arrowhead Wy.	\$196,104.96
8	Capitola St.	\$6,000.00
9	Orchard Ave.	\$1,480.00
10	Eden Shores Residential	\$190,210.80
11	Stonebrae Country Club	\$192,309.36
12	Eden Shores East - Alden E. Oliver Sports Park	\$49,396.86
13	Cannery Place	\$216,239.00
	<i>TOTAL:</i>	<i>\$1,032,918.56</i>

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

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

PART C

ASSESSMENT DISTRICT DIAGRAM

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

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

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

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

*"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefit to be received by each such lot or parcel from the improvements."*

*The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000)) [of the Streets and Highways Code, State of California]."*

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

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

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

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

**ZONE CLASSIFICATION**

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

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

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

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

This zone was established in 1990 and the maximum assessment amount was set at \$295.83 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 2016, the total assessment revenue needed to operate and maintain the facilities within the zone is \$7,969.20. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$265.64 per parcel

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

This zone was established in 1991 and the maximum assessment amount was set at \$193.39 per single-family residential parcel with no automatic allowance for CPI increase each fiscal year. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 85 parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2016, the total assessment revenue needed to operate and maintain the facilities within the zone is \$7,911.80. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$93.08 per parcel

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

In 1992, Benefit Zone No. 3 was established and the maximum base assessment amount was set at \$328.82 per parcel. In FY 2004, a group of property owners formed a Landscape Committee for the purpose of addressing the substandard landscaping conditions that had arisen in Benefit Zone No. 3. The Landscape Committee developed a comprehensive landscape plan and presented the plan to City staff and property owners within Benefit Zone No. 3. After receiving City and property owner support, the Landscape Committee proposed to increase assessments to fund the construction of additional landscape improvements and to increase the level of maintenance for the existing and proposed landscaping within Benefit Zone No. 3. In FY 2006 the City conducted a mailed ballot election to determine if there is sufficient support to increase assessments. The assessment increases were approved by a majority of the voters who voted. Therefore, in FY 2006 the maximum base assessment amount per parcel was increased from \$328.82 to \$1,023.56. This increase in the maximum base assessment amount consisted of two components; \$694.52/yr. for maintenance and \$329.04/yr. for the construction of capital improvements. The maximum base assessment amount for constructing the capital improvements was only charged for three (3) years. In FY 2009 the maximum base assessment amount increase associated with the construction of capital improvements was eliminated. Each fiscal year, commencing in FY 2009, the maximum base assessment amount for the maintenance component, \$694.52 may be increased annually based upon the prior year's change in the Consumer Price Index for the San Francisco-Oakland-San Jose Area. The base year for calculating CPI increases was set for July 1, 2006. On July 1, 2006 the CPI Index was set at 205.2. The most current CPI Index available at the time of this report was February 2015. The February 2015 CPI was 249.809, which translates to a 21.74% (249.809/205.2) increase since the base year. Therefore, the maximum base assessment amount of \$845.50 per parcel could be assessed in FY 2016.

The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 155 parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2016, the total assessment revenue needed to operate and maintain the facilities within the zone is \$123,544.30. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$797.06 per parcel

- **Zone 4 (Pacheco Way, Stratford Rd, Ruus Ln, Ward Creek)** Tracts 6472, 6560, 6683 & 6682  
This zone was established in 1995 and the maximum assessment amount was set at \$180.00 per single-family residential parcel with no automatic allowance for CPI increase each fiscal year. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 175 parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2016, the total assessment revenue needed to operate and maintain the facilities within the zone is \$21,175.00. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$121.00 per parcel

- **Zone 5 (Soto Road & Plum Tree Street)** Tracts 6641 & 6754  
This zone was established in 1995 and the maximum assessment amount was set at \$258.67 per single-family residential parcel with no automatic allowance for CPI increase each fiscal year. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 38 parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2016, the total assessment revenue needed to operate and maintain the facilities within the zone is \$7,543.00. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$198.50 per parcel

- **Zone 6 (Peppertree Park)** Tract 4420 & Lot 2 of Tract 3337  
This zone was established in 1982 and the maximum assessment amount was set at \$2.61 per linear foot with no automatic allowance for CPI increase each fiscal year. The costs are spread to each parcel in proportion to the San Clemente Street frontage length to the overall San Clemente Street frontage within the district. The street frontage is based on the actual linear length of each parcel at the street right-of-way line. The overall street frontage is 4,994 feet from the San Clemente P.C.R. at Zephyr Avenue to the intersection of the northerly boundary of Lot 17 and San Clemente Street and the northerly boundary of Lot 2, Tract 3337. In FY 2016, the total assessment revenue needed to operate and maintain the facilities within the zone is \$13,034.28. Since the assessment amount is limited to the maximum base assessment amount, the following amount should be collected:

\$2.61 per linear foot

- **Zone 7 (Mission Boulevard, Industrial Parkway, Arrowhead Way)** Tract 7015  
This zone was established in 1998 and the maximum assessment amount was set at \$597.57 per parcel with an automatic allowance for a CPI increase annually from April 1<sup>st</sup> to March 31<sup>st</sup> of each year. The base year for calculating CPI increases was set for April 1, 1999. On April 1, 1999, the CPI Index was set at 168.8. The most current CPI Index available at the time of this report was February 2015. The February 2015 CPI was 249.809, which translates to a 47.99% (249.809/168.8) increase since the base year. Therefore, the maximum base assessment amount of \$884.35 per parcel could be assessed in FY 2016. 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 2016, the total assessment revenue needed to operate and maintain the facilities within the zone is \$196,104.96. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$563.52 per parcel

- **Zone 8 (Capitola Street)** Tract 7033  
This zone was established in 1999 and the maximum assessment amount was set at \$442.83 per parcel with an automatic allowance for a CPI increase annually from April 1<sup>st</sup> to March 31<sup>st</sup> of each year. The base year for calculating CPI increases was set for April 1, 2000. On April 1, 2000 the CPI Index was set at 174.9. The most current CPI Index available at the time of this report was February 2015. The February 2015 CPI was 249.809, which translates to a 42.83% (249.809/174.9) increase since the base year. Therefore, the maximum base assessment amount of \$632.49 per parcel could be assessed in FY 2016. 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 2016, the total assessment revenue needed to operate and maintain the facilities within the zone is \$6,000.00. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$250.00 per parcel

- **Zone 9 (Orchard Avenue)** Tract 7063  
This zone was established in 2000 and the maximum assessment amount was set at \$125.00 per parcel with an automatic allowance for a CPI increase annually from April 1<sup>st</sup> to March 31<sup>st</sup> of each year. The base year for calculating CPI increases was set for April 1, 2001. On April 1, 2001, the CPI Index was set at 184.9. The most current CPI Index available at the time of this report was February 2015. The February 2015 CPI was 249.809, which translates to a 35.10% (249.809/184.9) increase since the base year. Therefore, the maximum base assessment amount of \$168.88 per parcel could be assessed in FY 2016. 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 2016, the total revenue needed to operate and maintain the facilities within the zone is \$1,480.00. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$20.00 per parcel

- **Zone 10 (Eden Shores Residential)** Tracts No. 7317, 7360 and 7361  
This zone was established in June 2003 and the maximum assessment amount was set at \$775.00 per parcel with an automatic allowance for a CPI increase annually from April 1<sup>st</sup> to March 31<sup>st</sup> of each year. The base year for calculating CPI increases was set for July 1, 2003. On July 1, 2003, the CPI Index was set at 192.25. The most current CPI Index available at the time of this report was February 2015. The February 2015 CPI was 249.809, which translates to a 29.94% (249.809/192.25) increase since the base year. Therefore, the maximum base assessment amount of \$1,007.03 per parcel could be assessed in FY 2016. 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 2016, the total assessment revenue needed to operate and maintain the facilities within the zone is \$190,210.80. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$356.20 per parcel

- **Zone 11 (Stonebrae Country Club)** Tracts No. 5354  
This zone was established in July 2006 and the maximum assessment amount was set at \$1,173.26/yr. for each proposed single-family parcel with an automatic allowance for a CPI increase annually from April 1<sup>st</sup> to March 31<sup>st</sup> of each year. The base year for calculating CPI increases was set for July 1, 2006. On July 1, 2006, the CPI Index was set at 205.2. The most current CPI Index available at the time of this report was February 2015. The February 2015 CPI was 249.809, which translates to a 21.74% (249.809/205.2) increase since the base year. Therefore, the maximum base assessment amount of \$1,428.32 per parcel could be assessed in FY 2016. The project is proposed to be developed in multiple phases. The current development phases will be constructed first and consist of the 429 proposed single-family parcels. The future development phases will consist of the remaining 147 proposed single-family parcels. In FY 2016, the total assessment revenue needed to operate and maintain the facilities is \$192,309.36. Therefore, each of the 429 parcels located within the current development will be assessed \$379.42 and the remaining 147 single-family parcels will be assessed \$200.94 as shown below:

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

- **Zone 12 (Eden Shores East – Alden E. Oliver Sports Park)** Tract 7489 & 7708  
This zone was established in 2007 with a maximum base assessment amount of \$160.00 per parcel which includes an automatic allowance for a CPI increase annually from April 1<sup>st</sup> to March 31<sup>st</sup> of each year. The base year for calculating CPI increases was set for April 1, 2007. On April 1, 2007, the CPI Index was set at 211.189. The most current CPI Index available at the time of this report was February 2015. The February 2015 CPI was 249.809, which translates to a 18.29% (249.809/211.189) increase since the base year. Therefore, the maximum base assessment amount of \$189.26 per parcel could be assessed in FY 2016. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 261 proposed parcels shall be apportioned an equal share of the total assessment for this zone. In FY 2016, the total assessment revenue needed to operate and maintain the facilities within the zone is \$49,396.86. Since the assessment amount is limited to the maximum base assessment amount, the following amount should be collected:

\$189.26 per proposed parcel

- Zone 13 (Cannery Place) Tract 7613, 7625, 7748 & 7749  
This zone was established in June 2008 with a maximum base assessment amount of \$951.98 per residential unit and \$951.98 per commercial parcel which includes an automatic allowance for a CPI increase annually from April 1<sup>st</sup> to March 31<sup>st</sup> of each year. The base year for calculating CPI increases was set for July 1, 2008. On July 1, 2008, the CPI Index was set at 221.4195. The most current CPI Index available at the time of this report was February 2015. The February 2015 CPI was 249.809, which translates to a 12.82% (249.809/221.4195) increase since the base year. Therefore, the maximum base assessment amount of \$1,074.04 per residential unit and commercial parcel could be assessed in FY 2016. The special benefit derived by the individual parcels is indistinguishable from each other. Therefore, each of the 598 residential units and 1 commercial parcel shall be apportioned an equal share of the total assessment for this zone. In FY 2016, the total assessment revenue needed to operate and maintain the facilities within the zone is \$216,239.00. Since the amount needed to operate and maintain facilities in this zone remains below the maximum base assessment amount, the following amount should be collected:

\$361.00 per unit (Residential Unit/Commercial Parcel)

PART E

PROPERTY OWNER LIST & ASSESSMENT ROLL

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

This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll, which includes the proposed amount of assessments for FY 2016 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 "D".

APPENDIX A

DETAILED PROJECT COST BREAKDOWN

Fund 266 - Zone 1 - Fiscal Year 2016 Huntwood Avenue & Panjon Street	
	Fiscal Year 2016 Budget
Number of Assessable Parcels	30
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$19,791.65</u>
<b>REVENUE</b>	
Annual Assessment Fee (30 Assessable Parcels)	\$7,969.20
County Collection Fee (1.7%)	(\$135.48)
Net Revenue	\$7,833.72
<b>Total Available</b>	<b><u>\$27,625.38</u></b>
<b>EXPENDITURE</b>	
<b><u>I. MAINTENANCE &amp; UTILITY</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy	\$1,070.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$1,900.00
(c) Water Conservation: Irrigation System Modifications/Upgrades	\$360.00
(d) Unforeseen Additional Work	\$1,900.00
Subtotal I:	<b><u>\$5,230.00</u></b>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services	\$1,681.00
(b) Supplies: printing, postage and publishing	\$100.00
Subtotal II:	<b><u>\$1,781.00</u></b>
<b><u>III. Administrative Services</u></b>	
(a) Administration	\$2,409.00
Subtotal III:	<b><u>\$2,409.00</u></b>
<b><u>Total Expense (Sum of I, II and III)</u></b>	<b><u>\$9,420.00</u></b>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$18,205.38</u>
Change in Reserve Fund Balance	<u>(\$1,586.28)</u>
<b>RESERVE DETAIL</b>	
Required Operating Reserves <sup>(1)</sup>	\$4,710.00
Available Capital Reserves <sup>(2)</sup>	\$13,495.38
Subtotal:	<b><u>\$18,205.38</u></b>
Assessment Amount per Parcel	<u>\$265.64</u>
Maximum Base Assessment Amount per Parcel <sup>(4)</sup>	<u>\$295.83</u>
<b>NOTES:</b>	
<sup>(1)</sup> 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.	
<sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 267 - Zone 2 - Fiscal Year 2016 Harder Road & Mocine Avenue	
	Fiscal Year 2016 Budget
Number of Assessable Parcels	85
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$8,366.88</u>
<b>REVENUE</b>	
Annual Assessment Fee (85 Assessable Parcels)	\$7,911.80
County Collection Fee (1.7%)	(\$134.50)
Net Revenue	\$7,777.30
Total Available	<u>\$16,144.18</u>
<b>EXPENDITURE</b>	
<b><u>I. MAINTENANCE &amp; UTILITY</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy	\$ 975.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$1,700.00
(c) Water Conservation: Irrigation System Modifications/Upgrades	\$ 360.00
(d) Unforeseen Additional Work	\$1,300.00
Subtotal I:	<u>\$4,335.00</u>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services	\$1,821.00
(b) Supplies: printing, postage and publishing	\$ 282.00
Subtotal II:	<u>\$2,103.00</u>
<b><u>III. Administrative Services</u></b>	
(a) Administration	\$ 2,221.00
Subtotal III:	<u>\$2,221.00</u>
Total Expense (Sum of I, II and III)	<u>\$8,659.00</u>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$7,485.18</u>
Change in Reserve Fund Balance	<u>(\$881.70)</u>
<b>RESERVE DETAIL</b>	
Required Operating Reserves <sup>(1)</sup>	\$ 4,329.50
Available Capital Reserves <sup>(2)</sup>	\$ 3,155.68
Subtotal:	<u>\$7,485.18</u>
Assessment Amount per Parcel	<u>\$93.08</u>
Maximum Base Assessment Amount per Parcel	<u>\$193.39</u>
<b>NOTES:</b>	
<sup>(1)</sup> 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.	
<sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 268 - Zone 3 - Fiscal Year 2016 Hayward Boulevard & Fairview Avenue	
	Fiscal Year 2016 Budget
Number of Assessable Parcels	155
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$135,003.91</u>
<b>REVENUE</b>	
Annual Assessment Fee (155 Assessable Parcels)	\$123,544.30
County Collection Fee (1.7%)	(\$2,100.25)
Net Revenue	<u>\$121,444.05</u>
<b>Total Available</b>	<b><u>\$256,447.96</u></b>
<b>EXPENDITURE</b>	
<b><u>I. MAINTENANCE &amp; UTILITY</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy	\$22,170.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, adding mulch, spraying, and masonry wall surface maintenance	\$36,000.00
(c) Anticipated Repairs: 1) Entrance Sign Painting, 2) Clean Cobblestone Drainage Borders, 3) Plant Replacement, 4) Major Mulching, 5) Modify Drip Sprinkler Lines, 6) Calsense Repairs/Upgrades, 7) Tree Removal and Enhance Drainage System.	\$35,000.00
(d) Water Conservation: Irrigation System Modifications/Upgrades	\$8,880.00
(e) Unforeseen Additional Work	\$9,000.00
Subtotal I:	<b><u>\$111,050.00</u></b>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services	\$5,575.00
(b) Supplies: printing, postage and publishing	\$514.00
Subtotal II:	<b><u>\$6,089.00</u></b>
<b><u>III. Administrative Services</u></b>	
(a) Administration	\$7,000.00
Subtotal III:	<b><u>\$7,000.00</u></b>
<b>Total Expense (Sum of I, II and III)</b>	<b><u>\$124,139.00</u></b>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$132,308.96</u>
Change in Reserve Fund Balance	<u>(\$2,694.95)</u>
<b>RESERVE DETAIL</b>	
Required Operating Reserves <sup>(1)</sup>	\$62,069.50
Available Capital Reserves <sup>(2)</sup>	\$70,239.46
Subtotal:	<b><u>\$132,308.96</u></b>
<b>Assessment Amount per Parcel</b>	<b>\$797.06</b>
<b>Maximum Base Assessment Amount per Parcel</b>	<b>\$845.50</b>
<b>NOTES:</b>	
<sup>(1)</sup> 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.	
<sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 269 - Zone 4 - Fiscal Year 2016 Pacheco Way, Stratford Road, Ruus Lane, Ward Creek	
	Fiscal Year 2016 Budget
Number of Assessable Parcels	175
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$92,088.83</u>
<b>REVENUE</b>	
Annual Assessment Fee (175 Assessable Parcels)	\$ 21,175.00
County Collection Fee (1.7%)	(\$ 359.98)
Net Revenue	\$ 20,815.03
Total Available	<u>\$112,903.86</u>
<b>EXPENDITURE</b>	
<b><u>I. MAINTENANCE &amp; UTILITY</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy	\$ 3,130.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$ 7,000.00
(c) Graffiti Abatement	\$ 500.00
(d) Water Conservation: Irrigation System Modifications/Upgrades	\$ 870.00
(e) Unforeseen Additional Work	\$ 2,000.00
Subtotal I:	<u>\$13,500.00</u>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services	\$ 2,053.00
(b) Supplies: printing, postage and publishing	\$ 580.00
Subtotal II:	<u>\$2,633.00</u>
<b><u>III. Administrative Services</u></b>	
(a) Administration	\$ 3,215.00
Subtotal III:	<u>\$3,215.00</u>
Total Expense (Sum of I, II and III)	<u>\$19,348.00</u>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$93,555.86</u>
Change in Reserve Fund Balance	<u>\$1,467.02</u>
<b>RESERVE DETAIL</b>	
Required Operating Reserves <sup>(1)</sup>	\$ 9,674.00
Available Capital Reserves <sup>(2)</sup>	\$ 83,881.86
Subtotal:	<u>\$93,555.86</u>
Assessment Amount per Parcel	<u>\$121.00</u>
Maximum Base Assessment Amount per Parcel	<u>\$180.00</u>
<b>NOTES:</b>	
<sup>(1)</sup> 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.	
<sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 272 - Zone 5 - Fiscal Year 2016 Soto Road & Plum Tree Street	
	Fiscal Year 2016 Budget
Number of Assessable Parcels	38
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$8,486.82</u>
<b>REVENUE</b>	
Annual Assessment Fee (38 Assessable Parcels)	\$7,543.00
County Collection Fee (1.7%)	(\$128.23)
Net Revenue	\$7,414.77
Total Available	<u>\$15,901.59</u>
<b>EXPENDITURE</b>	
<b><u>I. MAINTENANCE &amp; UTILITY</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy	\$ 900.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$ 3,050.00
(c) Graffiti Abatement	\$ 250.00
(d) Water Conservation: Irrigation System Modifications/Upgrades	\$ 285.00
(e) Unforeseen Additional Work	\$ 200.00
Subtotal I:	<u>\$4,685.00</u>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services	\$1,701.00
(b) Supplies: printing, postage and publishing	\$126.00
Subtotal II:	<u>\$1,827.00</u>
<b><u>III. Administrative Services</u></b>	
(a) Administration	\$ 900.00
Subtotal III:	<u>\$900.00</u>
Total Expense (Sum of I, II and III)	<u>\$7,412.00</u>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$8,489.59</u>
Change in Reserve Fund Balance	<u>\$2.77</u>
<b>RESERVE DETAIL</b>	
Required Operating Reserves <sup>(1)</sup>	\$ 3,706.00
Available Capital Reserves <sup>(2)</sup>	\$ 4,783.59
Subtotal:	<u>\$8,489.59</u>
Assessment Amount per Parcel	<u>\$198.50</u>
Maximum Base Assessment Amount per Parcel	<u>\$258.67</u>
<b>NOTES:</b>	
<sup>(1)</sup> 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.	
<sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 273 - Zone 6 - Fiscal Year 2016 Peppertree Park	
	Fiscal Year 2016 Budget
Length of Assessable Street Frontage	4,994
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$52,464.75</u>
<b>REVENUE</b>	
Annual Assessment Fee (4,994 Assessable Liner Feet)	\$13,034.28
County Collection Fee (1.7%)	(\$ 221.58)
Net Revenue	\$12,812.70
Total Available	<u>\$65,277.45</u>
<b>EXPENDITURE</b>	
<b><u>I. MAINTENANCE &amp; UTILITY</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy	\$1,530.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$ 6,000.00
(c) Water Conservation: Irrigation System Modifications/Upgrades	\$ 600.00
(d) Unforeseen Additional Work	\$1,500.00
Subtotal I:	<u>\$9,630.00</u>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services	\$1,632.00
(b) Supplies: printing, postage and publishing	\$ 36.00
Subtotal II:	<u>\$1,668.00</u>
<b><u>III. Administrative Services</u></b>	
(a) Administration	\$ 2,409.00
Subtotal III:	<u>\$2,409.00</u>
<u>Total Expense (Sum of I, II and III)</u>	<u>\$13,707.00</u>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$51,570.45</u>
Change in Reserve Fund Balance	<u>(\$894.30)</u>
<b>RESERVE DETAIL</b>	
Required Operating Reserves <sup>(1)</sup>	\$ 6,853.50
Available Capital Reserves <sup>(2)</sup>	\$44,716.95
Subtotal:	<u>\$51,570.45</u>
Assessment Amount per Parcel	<u>\$2.61</u>
Maximum Base Assessment Amount per Parcel	<u>\$2.61</u>
<b>NOTES:</b>	
<sup>(1)</sup> 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.	
<sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 274 - Zone 7 - Fiscal Year 2016 Mission Boulevard, Industrial Parkway, Arrowhead Way	
	Fiscal Year 2016 Budget
Number of Assessable Parcels	348
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$ 329,473.00</u>
<b>REVENUE</b>	
Annual Assessment Fee (348 Assessable Parcels)	\$196,104.96
County Collection Fee (1.7%)	(\$ 3,333.78)
Net Revenue	\$192,771.18
Total Available	<u>\$522,244.17</u>
<b>EXPENDITURE</b>	
<b><u>I. MAINTENANCE &amp; UTILITY</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy	\$ 38,700.00
(b) Maintenance Work: Landscaping maintenance, irrigation repairs, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance.	\$ 30,000.00
(c) Water Conservation: Irrigation System Modifications/Upgrades	\$12,000.00
(d) Unforeseen Additional Work	\$ 4,500.00
Subtotal I:	<u>\$85,200.00</u>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services	\$ 6,650.00
(b) Special Services (HARD)	\$91,500.00
(c) Supplies: printing, postage and publishing	\$1,154.00
Subtotal II:	<u>\$99,304.00</u>
<b><u>III. Administrative Services</u></b>	
(a) Administration	\$ 6,623.00
Subtotal III:	<u>\$6,623.00</u>
Total Expense (Sum of I, II and III)	<u>\$191,127.00</u>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$ 331,117.17</u>
Change in Reserve Fund Balance	<u>\$1,644.18</u>
<b>RESERVE DETAIL</b>	
Required Operating Reserves <sup>(1)</sup>	\$ 95,563.50
Available Capital Reserves <sup>(2)</sup>	\$235,553.67
Subtotal:	<u>\$ 331,117.17</u>
Assessment Amount per Parcel	<u>\$563.52</u>
Maximum Base Assessment Amount per Parcel	<u>\$884.35</u>
<b>NOTES:</b>	
<p><sup>(1)</sup> 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><sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

Fund 275 - Zone 8 - Fiscal Year 2016 Capitola Street	
	Fiscal Year 2016 Budget
Number of Assessable Parcels	24
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$32,087.28</u>
<b><u>REVENUE</u></b>	
Annual Assessment Fee (24 Assessable Parcels)	\$6,000.00
County Collection Fee (1.7%)	(\$102.00)
Net Revenue	\$5,898.00
Total Available	<u>\$37,985.28</u>
<b><u>EXPENDITURE</u></b>	
<b><u>I. MAINTENANCE &amp; UTILITY</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy	\$260.00
(b) Maintenance Work: Landscaping maintenance, debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$3,700.00
(c) Water Conservation: Irrigation System Modifications/Upgrades	\$90.00
(d) Unforeseen Additional Work	\$900.00
Subtotal I:	<u>\$4,950.00</u>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services	\$989.00
(b) Supplies: printing, postage and publishing	\$80.00
Subtotal II:	<u>\$1,069.00</u>
<b><u>III. Administrative Services</u></b>	
(a) Administration	\$1,200.00
Subtotal III:	<u>\$1,200.00</u>
Total Expense (Sum of I, II and III)	<u>\$7,219.00</u>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$30,766.28</u>
Change in Reserve Fund Balance	<u>(\$1,321.00)</u>
<b><u>RESERVE DETAIL</u></b>	
Required Operating Reserves <sup>(1)</sup>	\$3,609.50
Available Capital Reserves <sup>(2)</sup>	\$27,156.78
Subtotal:	<u>\$30,766.28</u>
Assessment Amount per Parcel	<u>\$250.00</u>
Maximum Base Assessment Amount per Parcel	<u>\$632.49</u>
<b><u>NOTES:</u></b>	
<p><sup>(1)</sup> 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><sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.</p>	

Fund 276 - Zone 9 - Fiscal Year 2016 Orchard Avenue	
	Fiscal Year 2016 Budget
Number of Assessable Parcels	74
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$10,498.07</u>
<b>REVENUE</b>	
Annual Assessment Fee (74 Assessable Parcels)	\$1,480.00
County Collection Fee (1.7%)	(\$25.16)
Net Revenue	\$1,454.84
Total Available	<u>\$11,952.91</u>
<b>EXPENDITURE</b>	
<b><u>I. MAINTENANCE &amp; UTILITY</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy	\$0.00
(b) Maintenance Work: Masonry wall surface maintenance	\$2,000.00
Subtotal I:	<u>\$2,000.00</u>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services (consultants)	\$1,117.00
(b) Supplies: printing, postage and publishing	<u>\$246.00</u>
Subtotal II:	<u>\$1,363.00</u>
<b><u>III. Administrative Services</u></b>	
(a) Administration	<u>\$712.00</u>
Subtotal III:	<u>\$712.00</u>
Total Expense (Sum of I, II and III)	<u>\$4,075.00</u>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$7,877.91</u>
Change in Reserve Fund Balance	<u>(\$2,620.16)</u>
<b>RESERVE DETAIL</b>	
Required Operating Reserves <sup>(1)</sup>	\$2,037.50
Available Capital Reserves <sup>(2)</sup>	\$5,840.41
Subtotal:	<u>\$7,877.91</u>
Assessment Amount per Parcel	<u>\$20.00</u>
Maximum Base Assessment Amount per Parcel	<u>\$168.88</u>
<b>NOTES:</b>	
<sup>(1)</sup> 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.	
<sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

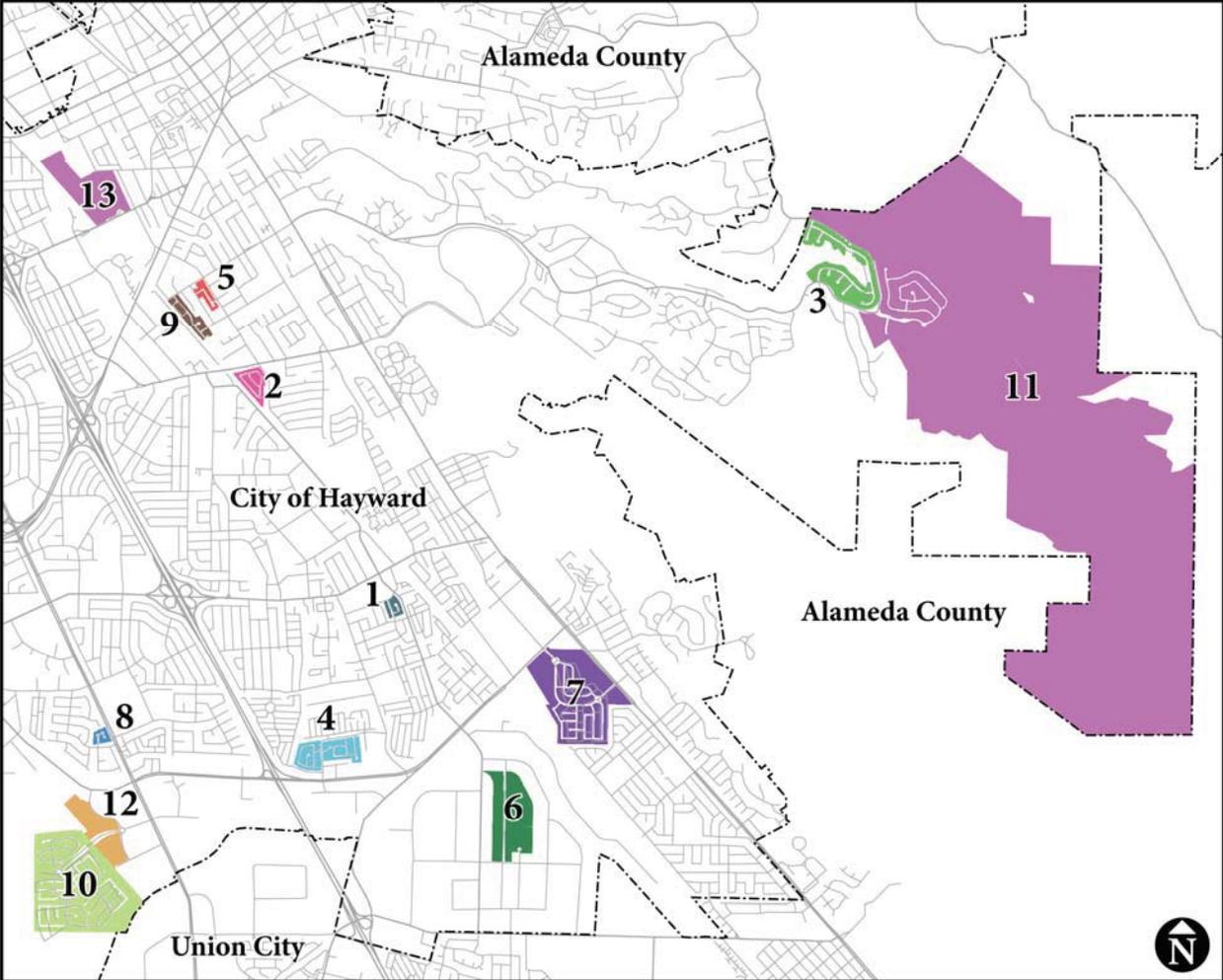
Fund 277 - Zone 10 - Fiscal Year 2016 Eden Shores	
	Fiscal Year 2016 Budget
Number of Assessable Parcels	534
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$775,088.39</u>
<b>REVENUE</b>	
Annual Assessment Fee (534 Assessable Parcels)	\$190,210.80
County Collection Fee (1.7%)	(\$3,233.58)
Net Revenue	<u>\$186,977.22</u>
Total Available	<u>\$962,065.61</u>
<b>EXPENDITURE</b>	
<b><u>I. MAINTENANCE &amp; UTILITY</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy	\$13,000.00
(b) Maintenance Work: Landscaping maintenance, debris removal, trimming, and masonry wall surface maintenance by HOA (See II.c)	\$0.00
(c) Water Conservation: Irrigation System Modifications/Upgrades	\$5,460.00
(d) Unforeseen Additional Work	\$2,000.00
Subtotal I:	<u>\$20,460.00</u>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services	\$7,128.00
(b) Special Services (HARD 5-Acre Park Maintenance)	\$134,500.00
(c) Special Services (Eden Shores HOA)	\$27,000.00
(d) Supplies: printing, postage and publishing	\$1,770.00
Subtotal II:	<u>\$170,398.00</u>
<b><u>III. Administrative Services</u></b>	
(a) Administration	\$6,623.00
Subtotal III:	<u>\$6,623.00</u>
<u>Total Expense (Sum of I, II and III)</u>	<u>\$197,481.00</u>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$764,584.61</u>
Change in Reserve Fund Balance	<u>(\$10,503.78)</u>
<b>RESERVE DETAIL</b>	
Required Operating Reserves <sup>(1)</sup>	\$98,740.50
Available Capital Reserves <sup>(2)</sup>	\$665,844.11
Subtotal:	<u>\$764,584.61</u>
Assessment Amount per Parcel	<u>\$356.20</u>
Maximum Base Assessment Amount per Parcel	<u>\$1,007.03</u>
<b>NOTES:</b>	
<sup>(1)</sup> 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.	
<sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 279 - Zone II - Fiscal Year 2016 Stonebrae Country Club	
	Fiscal Year 2016 Budget
Number of Assessable Parcels (Current Development)	429
Number of Assessable Parcels (Future Development)	147
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$523,369.65</u>
<b>REVENUE</b>	
Annual Assessment Fee (364 Current Assessable Parcels)	\$162,771.18
Annual Assessment Fee (212 Future Assessable Parcels)	\$29,538.18
County Collection Fee (1.7%)	(\$3,269.26)
Net Revenue	\$189,040.10
Total Available	<u>\$712,409.75</u>
<b>EXPENDITURE</b>	
<b><u>I. MAINTENANCE &amp; UTILITY</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy (Stonebrae HOA)	\$78,050.00
(b) Maintenance Work: Lighting Repair/Replacement	\$5,000.00
(c) Landscape Upgrade/Replacement	\$27,000.00
(d) Water Conservation: Irrigation System Modifications/Upgrades	\$30,150.00
(e) Unforeseen Additional Work	\$5,000.00
Subtotal I:	<u>\$145,200.00</u>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services	\$6,656.00
(b) Special Services (Stonebrae HOA - Landscaping)	\$36,000.00
(c) Supplies: printing, postage and publishing	\$1,910.00
Subtotal II:	<u>\$44,566.00</u>
<b><u>III. Administrative Services</u></b>	
(a) Administration	\$2,969.00
Subtotal III:	<u>\$2,969.00</u>
<b><u>Total Expense (Sum of I, II and III)</u></b>	<b><u>\$192,735.00</u></b>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$519,674.75</u>
Change in Reserve Fund Balance	<u>(\$3,694.90)</u>
<b>RESERVE DETAIL</b>	
Required Operating Reserves <sup>(1)</sup>	\$96,367.50
Available Capital Reserves <sup>(2)</sup>	\$423,307.25
Subtotal:	<u>\$519,674.75</u>
Assessment Amount per Parcel (current development)	\$379.42
Assessment Amount per Parcel (future development)	\$200.94
Maximum Base Assessment Amount per Parcel	\$1,428.32
<b>NOTES:</b>	
<sup>(1)</sup> 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.	
<sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 278 - Zone 12 - Fiscal Year 2016 Eden Shores East	
	Fiscal Year 2016 Budget
Number of Assessable Parcels	261
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$23,254.29</u>
<b>REVENUE</b>	
Annual Assessment Fee (261 Assessable Parcels)	\$49,396.86
County Collection Fee (1.7%)	(\$839.75)
Net Revenue	\$48,557.11
<b>Total Available</b>	<b><u>\$71,811.40</u></b>
<b>EXPENDITURE</b>	
<b><u>I. MAINTENANCE &amp; UTILITY (HARD)</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy (HARD)	\$0.00
(b) Maintenance Work: Landscaping maintenance, debris removal, and masonry wall surface maintenance (See II.b)	<u>\$0.00</u>
<b>Subtotal I:</b>	<b>\$0.00</b>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services	\$3,912.00
(b) Special Services (HARD)	\$41,000.00
(c) Supplies: printing, postage and publishing	<u>\$866.00</u>
<b>Subtotal II:</b>	<b>\$45,778.00</b>
<b><u>III. Administrative Services</u></b>	
(a) Administration	<u>\$2,142.00</u>
<b>Subtotal III:</b>	<b>\$2,142.00</b>
<b><u>Total Expense (Sum of I, II and III)</u></b>	<b><u>\$47,920.00</u></b>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$23,891.40</u>
Change in Reserve Fund Balance	<u>\$637.11</u>
<b>RESERVE DETAIL</b>	
Required Operating Reserves <sup>(1)</sup>	\$23,960.00
Available Capital Reserves <sup>(2)</sup>	\$0.00
<b>Subtotal:</b>	<b><u>\$23,960.00</u></b>
<b>Assessment Amount per Parcel</b>	<b>\$189.26</b>
<b>Maximum Base Assessment Amount per Parcel</b>	<b>\$189.26</b>
<b>NOTES:</b>	
<sup>(1)</sup> 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.	
<sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

Fund 281 - Zone 13 - Fiscal Year 2016 Cannery Place	
	Fiscal Year 2016 Budget
Number of Assessable Parcels	599
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$253,413.29</u>
<b>REVENUE</b>	
Annual Assessment Fee (599 Assessable Parcels)	\$ 216,239.00
County Collection Fee (1.7%)	(\$ 3,676.06)
Net Revenue	\$ 212,562.94
Total Available	<u>\$465,976.23</u>
<b>EXPENDITURE</b>	
<b><u>I. MAINTENANCE &amp; UTILITY</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy	\$ 109,950.00
(b) Maintenance Work: Landscaping maintenance plus debris removal, weeding, trimming, spraying, and masonry wall surface maintenance	\$ 43,000.00
(c) Water Conservation: Irrigation System Modifications/Upgrades	\$ 42,450.00
(d) Unforeseen Additional Work	\$ 4,000.00
Subtotal I:	<u>\$199,400.00</u>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services	\$ 7,295.00
(b) Supplies: printing, postage and publishing	\$ 1,986.00
Subtotal II:	<u>\$9,281.00</u>
<b><u>III. Administrative Services</u></b>	
(a) Administration	\$ 7,788.00
Subtotal III:	<u>\$7,788.00</u>
<u>Total Expense (Sum of I, II and III)</u>	<u>\$216,469.00</u>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$249,507.23</u>
Change in Reserve Fund Balance	<u>(\$3,906.06)</u>
<b>RESERVE DETAIL</b>	
Required Operating Reserves <sup>(1)</sup>	\$ 108,234.50
Available Capital Reserves <sup>(2)</sup>	\$ 141,272.73
Subtotal:	<u>\$249,507.23</u>
Assessment Amount per Parcel (current development)	\$ 361.00
Maximum Base Assessment Amount per Parcel	\$1,074.04
<b>NOTES:</b>	
<sup>(1)</sup> 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.	
<sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

APPENDIX B  
VICINITY MAP



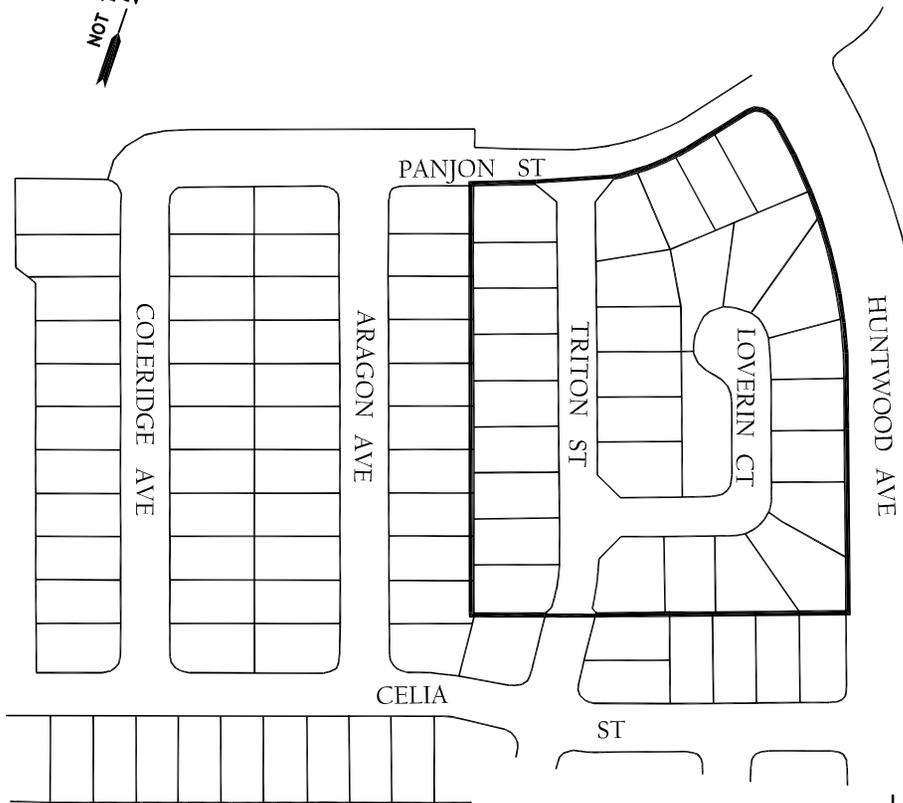
APPENDIX C  
ASSESSMENT DIAGRAMS

# ASSESSMENT DISTRICT DIAGRAM

## LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

SHEET 1 OF 13

CITY OF HAYWARD  
 COUNTY OF ALAMEDA  
 STATE OF CALIFORNIA



ZONE 1: HUNTWOOD AVENUE AND PANJON STREET

**LEGEND**

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

# ASSESSMENT DISTRICT DIAGRAM

SHEET 2 OF 13

## LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD  
COUNTY OF ALAMEDA  
STATE OF CALIFORNIA



ZONE 2: HARDER ROAD AND MOCINO AVENUE

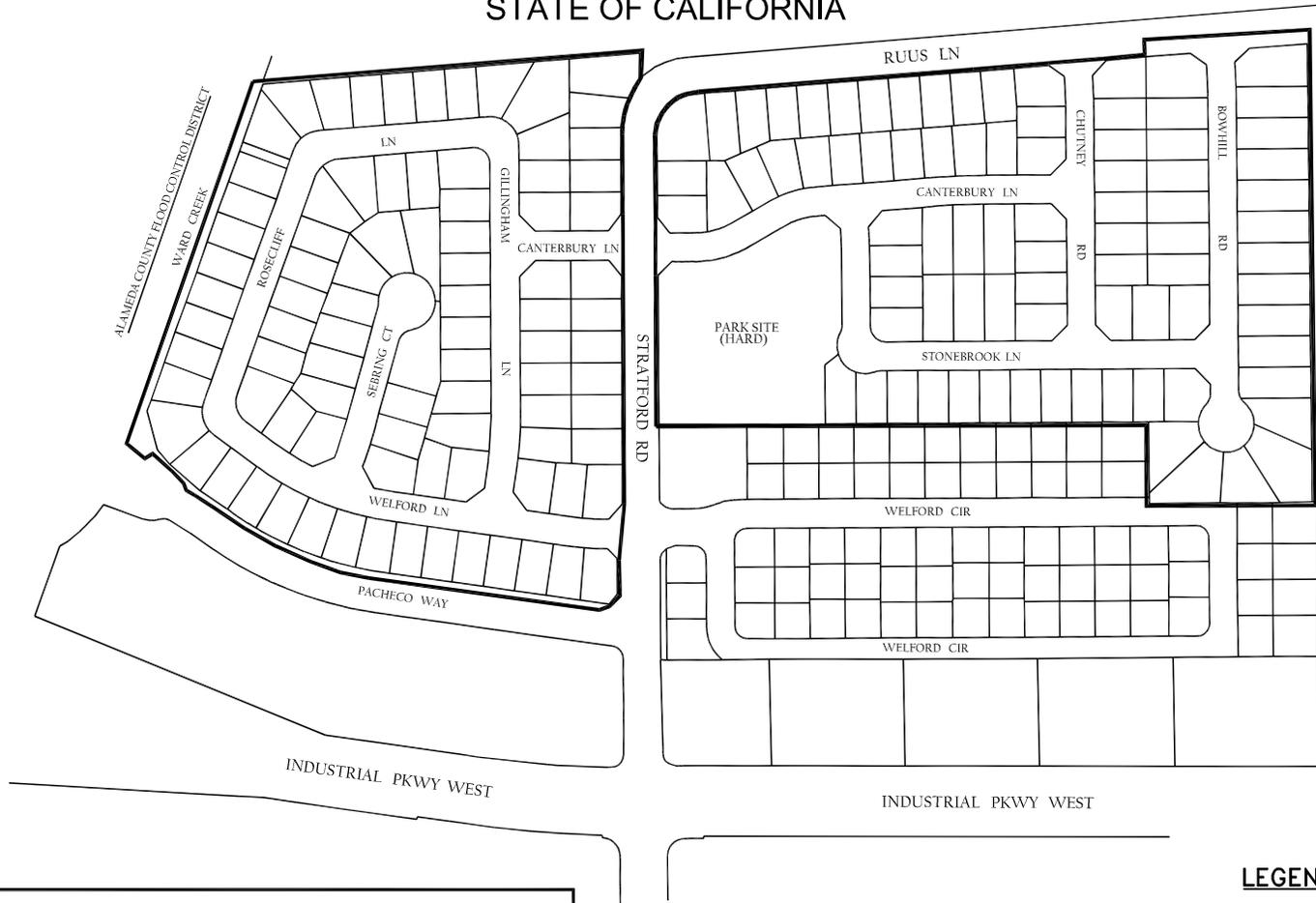
### LEGEND

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES



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

SHEET 4 OF 13



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

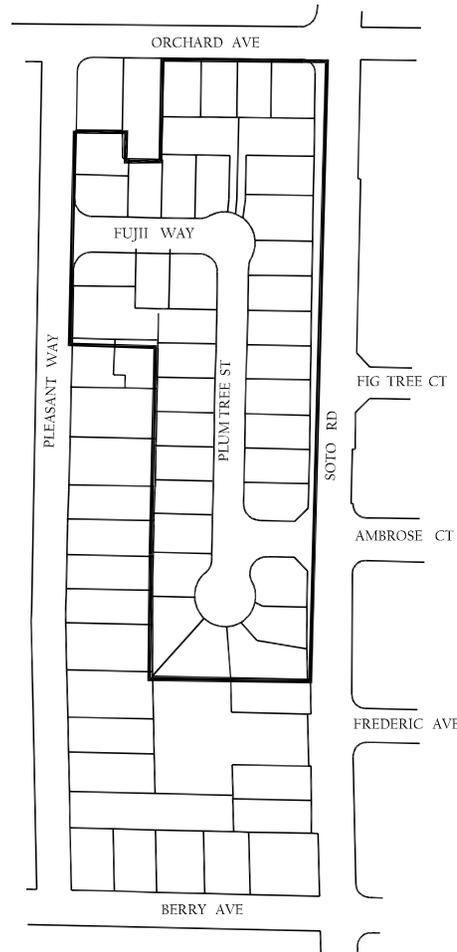
- LEGEND**
- NEW PARCEL BOUNDARIES
  - ASSESSMENT DISTRICT BOUNDARIES

# ASSESSMENT DISTRICT DIAGRAM

SHEET 5 OF 13

## LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD  
COUNTY OF ALAMEDA  
STATE OF CALIFORNIA



ZONE 5: SOTO ROAD AND PLUM TREE STREET

### LEGEND

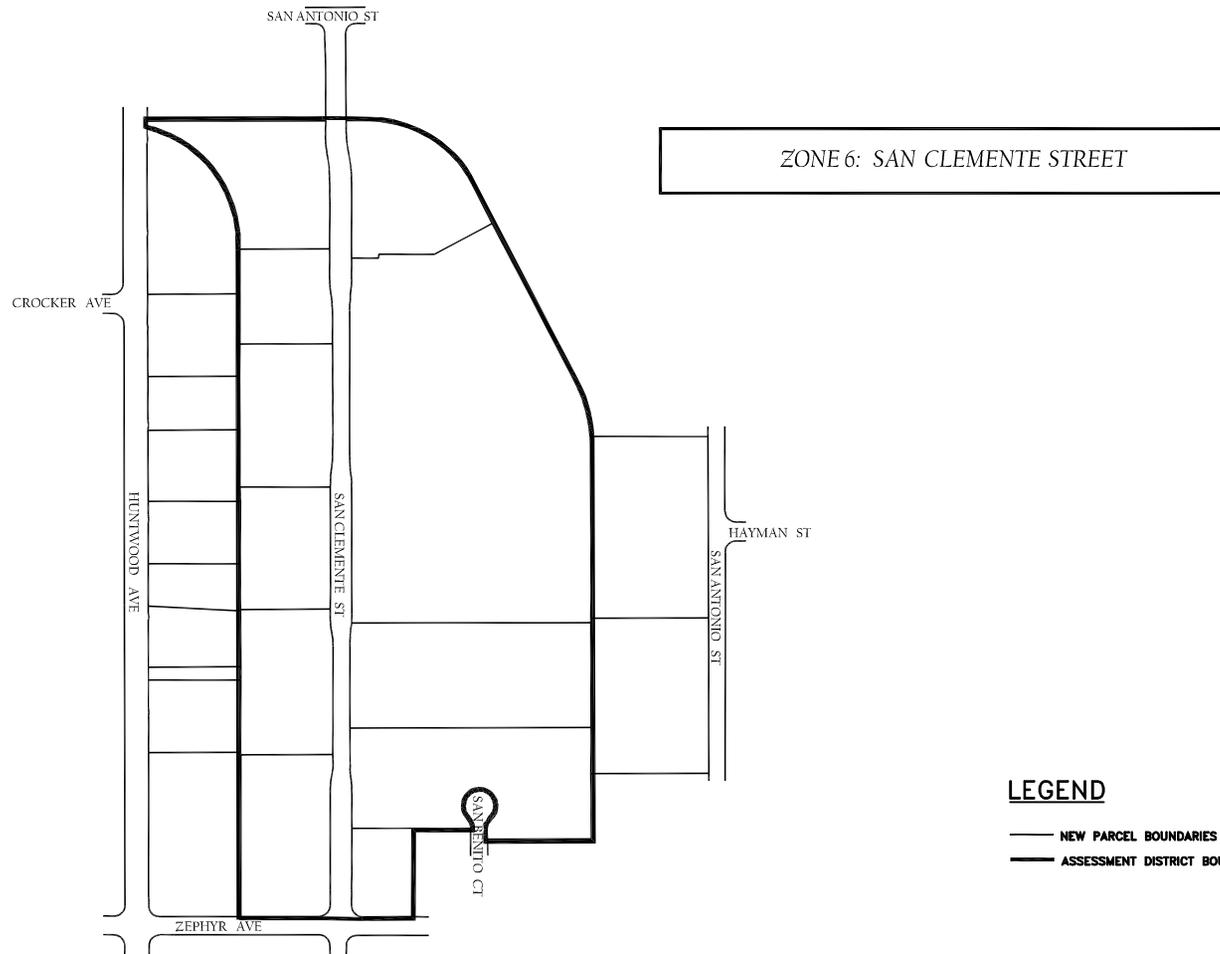
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

# ASSESSMENT DISTRICT DIAGRAM

SHEET 6 OF 13

## LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

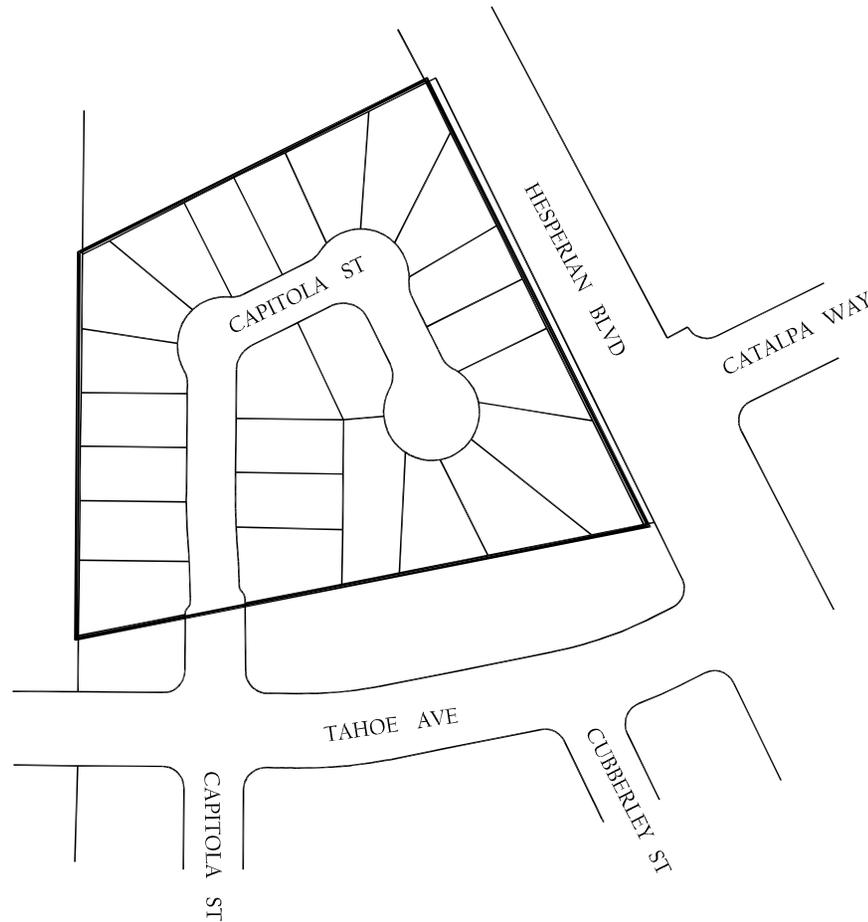
CITY OF HAYWARD  
COUNTY OF ALAMEDA  
STATE OF CALIFORNIA





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

SHEET 8 OF 13



ZONE 8: CAPITOLA STREET

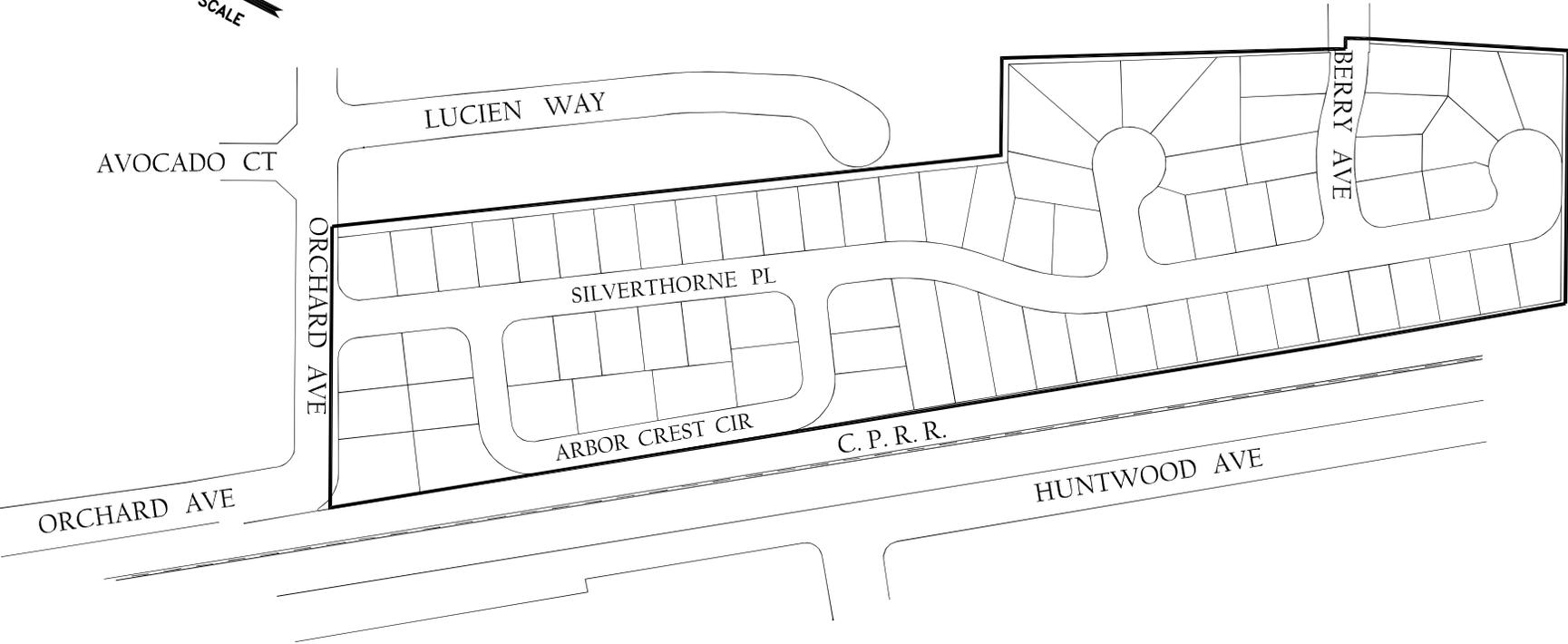
**LEGEND**

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

# ASSESSMENT DISTRICT DIAGRAM

## LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD  
COUNTY OF ALAMEDA  
STATE OF CALIFORNIA



ZONE 9: ORCHARD AVENUE

### LEGEND

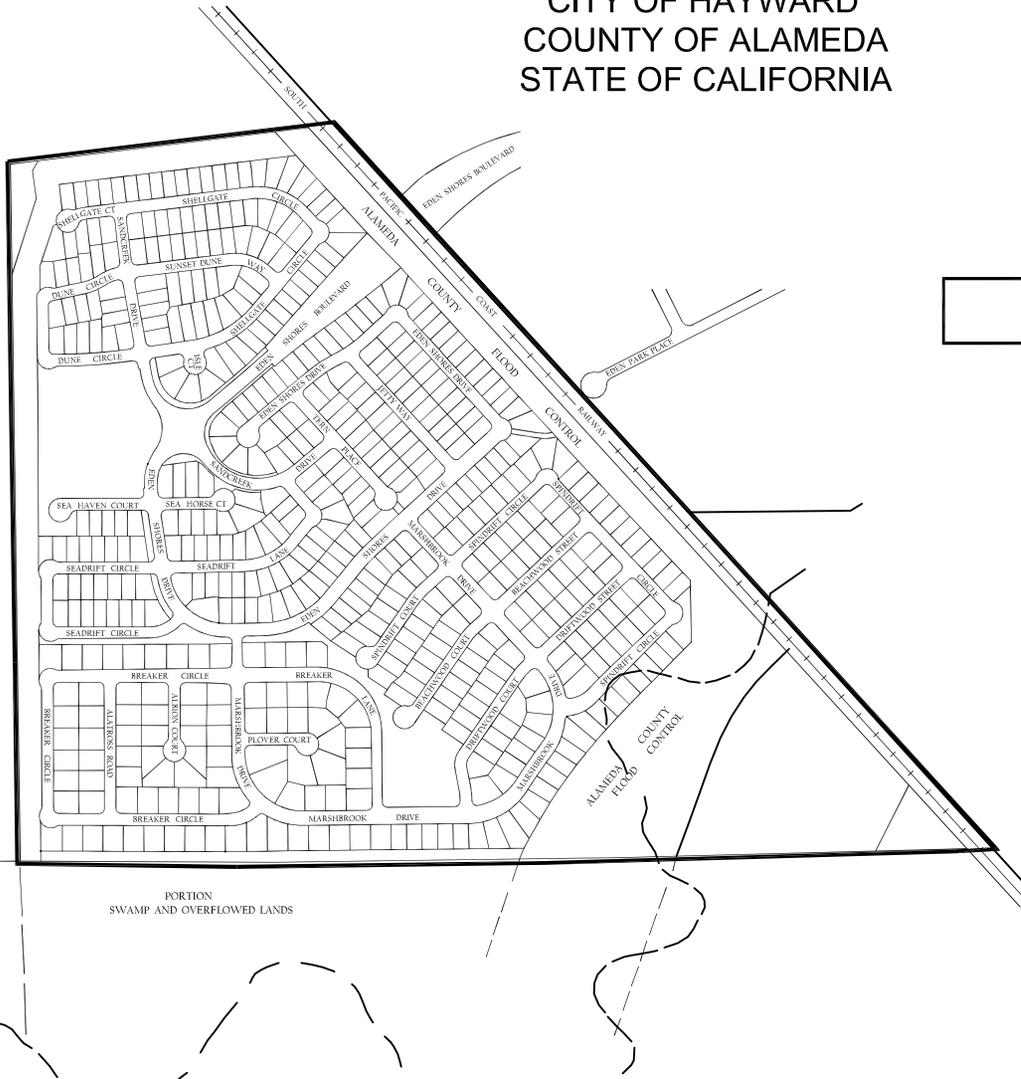
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

# ASSESSMENT DISTRICT DIAGRAM

## LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

SHEET 10 OF 13

CITY OF HAYWARD  
COUNTY OF ALAMEDA  
STATE OF CALIFORNIA



ZONE 10: EDEN SHORES

**LEGEND**

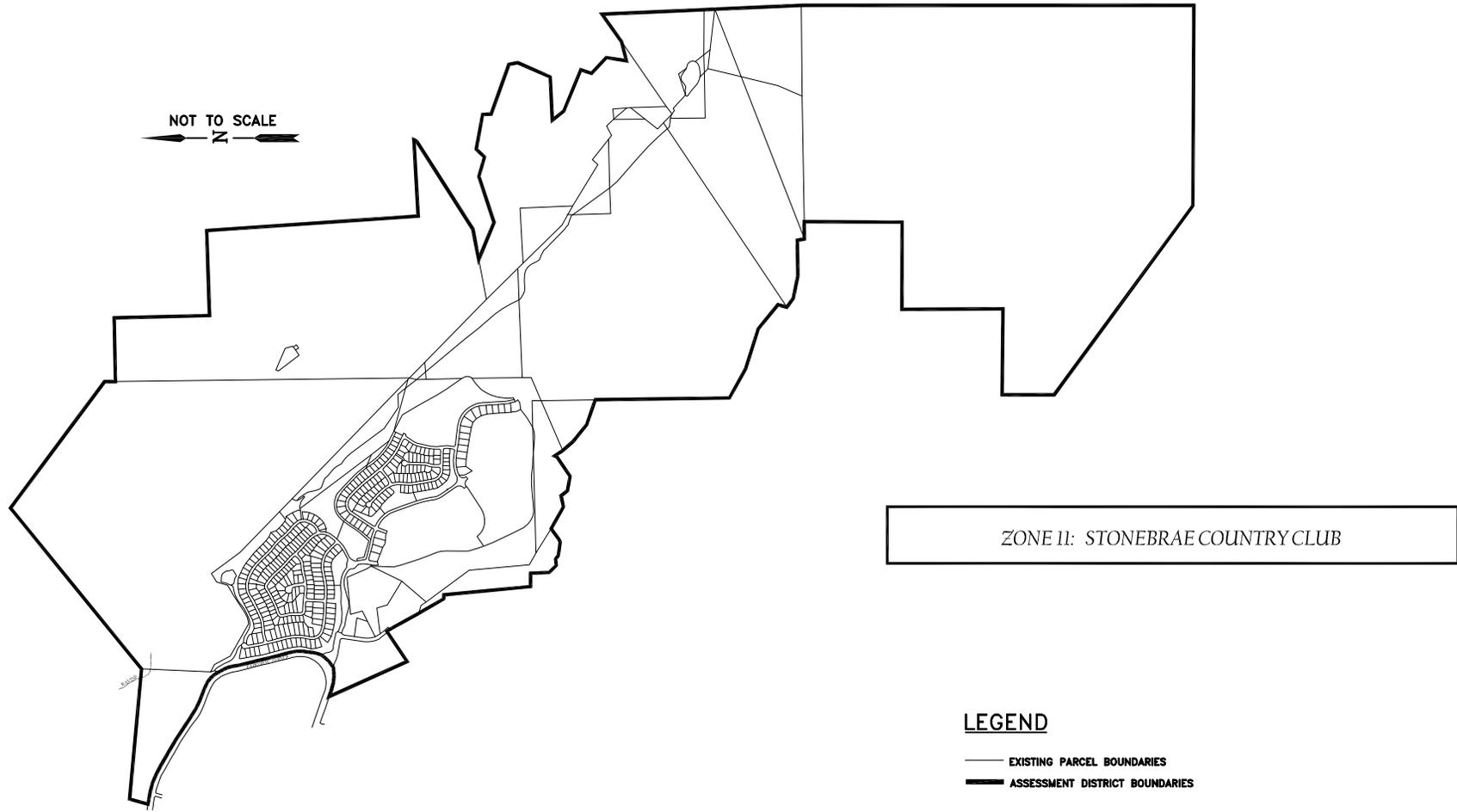
- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

# ASSESSMENT DISTRICT DIAGRAM

SHEET 11 OF 13

## LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD  
COUNTY OF ALAMEDA  
STATE OF CALIFORNIA

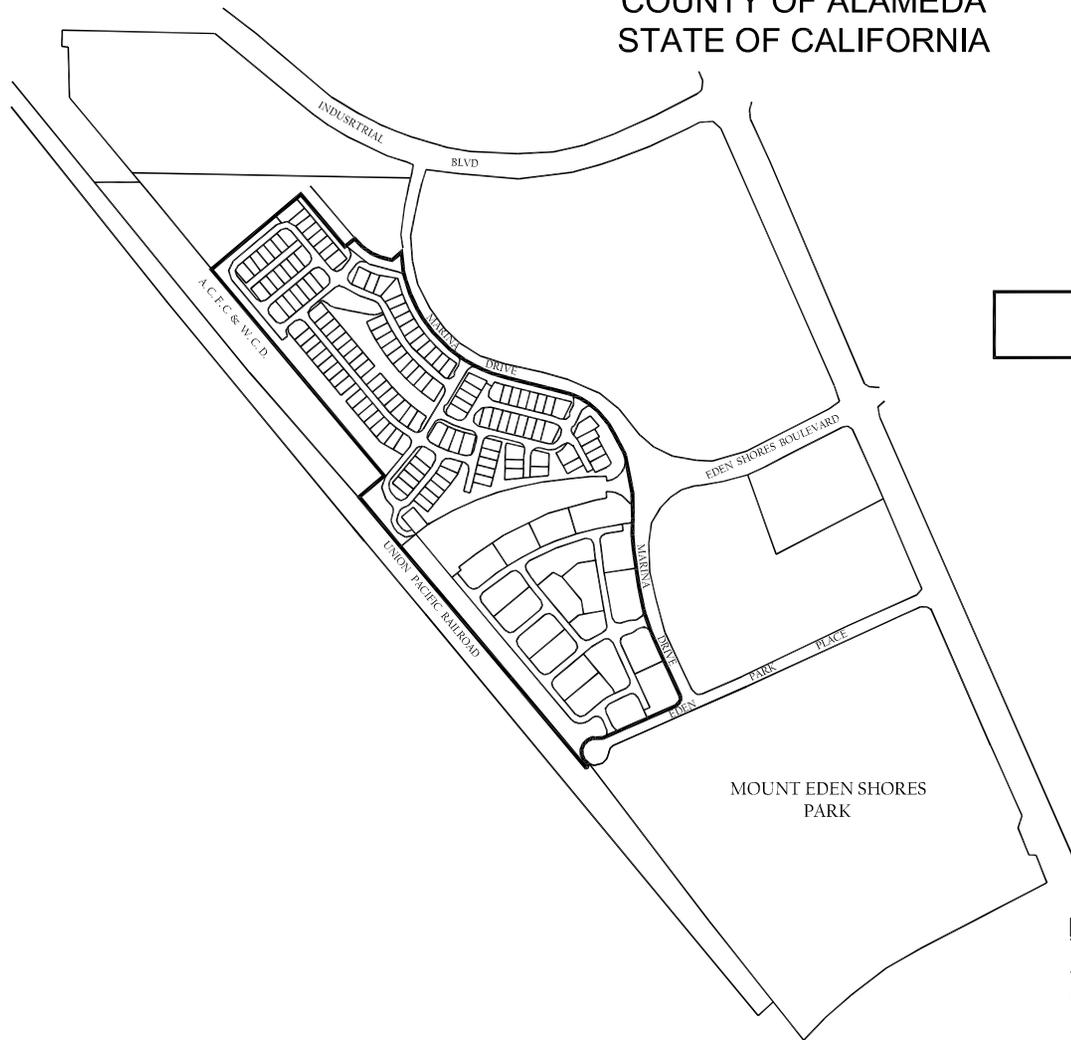


# ASSESSMENT DISTRICT DIAGRAM

SHEET 12 OF 13

## LANDSCAPING & LIGHTING ASSESSMENT DISTRICT NO. 96-1

CITY OF HAYWARD  
COUNTY OF ALAMEDA  
STATE OF CALIFORNIA



ZONE 12: EDEN SHORES EAST

### LEGEND

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES



APPENDIX D

FISCAL YEAR 2016  
ASSESSMENT ROLL

*Zone 01*  
*Huntwood Ave. & Panjon St.*  
 PRELIMINARY ASSESSMENT ROLL  
 FISCAL YEAR 2016

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

*Zone 02*  
*Harder Rd. & Mocine Ave.*

PRELIMINARY ASSESSMENT ROLL  
 FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
452-0004-006-00	\$93.08	452-0004-059-00	\$93.08
452-0004-007-00	\$93.08	452-0004-060-00	\$93.08
452-0004-008-00	\$93.08	452-0004-061-00	\$93.08
452-0004-009-00	\$93.08	452-0004-062-00	\$93.08
452-0004-010-00	\$93.08	452-0004-063-00	\$93.08
452-0004-011-00	\$93.08	452-0004-064-00	\$93.08
452-0004-012-00	\$93.08	452-0004-065-00	\$93.08
452-0004-013-00	\$93.08	452-0004-066-00	\$93.08
452-0004-014-00	\$93.08	452-0004-067-00	\$93.08
452-0004-015-00	\$93.08	452-0004-068-00	\$93.08
452-0004-016-00	\$93.08	452-0004-069-00	\$93.08
452-0004-017-00	\$93.08	452-0004-070-00	\$93.08
452-0004-018-00	\$93.08	452-0004-071-00	\$93.08
452-0004-019-00	\$93.08	452-0004-072-00	\$93.08
452-0004-020-00	\$93.08	452-0004-073-00	\$93.08
452-0004-021-00	\$93.08	452-0004-074-00	\$93.08
452-0004-022-00	\$93.08	452-0004-075-00	\$93.08
452-0004-023-00	\$93.08	452-0004-076-00	\$93.08
452-0004-024-00	\$93.08	452-0004-077-00	\$93.08
452-0004-025-00	\$93.08	452-0004-078-00	\$93.08
452-0004-026-00	\$93.08	452-0004-079-00	\$93.08
452-0004-027-00	\$93.08	452-0004-080-00	\$93.08
452-0004-028-00	\$93.08	452-0004-081-00	\$93.08
452-0004-029-00	\$93.08	452-0004-082-00	\$93.08
452-0004-030-00	\$93.08	452-0004-083-00	\$93.08
452-0004-031-00	\$93.08	452-0004-084-00	\$93.08
452-0004-032-00	\$93.08	452-0004-085-00	\$93.08
452-0004-033-00	\$93.08	452-0004-086-00	\$93.08
452-0004-034-00	\$93.08	452-0004-087-00	\$93.08
452-0004-035-00	\$93.08	452-0004-088-00	\$93.08
452-0004-036-00	\$93.08	452-0004-089-00	\$93.08
452-0004-037-00	\$93.08	452-0004-090-00	\$93.08
452-0004-038-00	\$93.08	452-0004-091-00	\$93.08
452-0004-039-00	\$93.08		
452-0004-040-00	\$93.08	<b>Total Parcels:</b>	<b>@ 85</b>
452-0004-041-00	\$93.08	<b>Total</b>	
452-0004-042-00	\$93.08	<b>Assessment:</b>	<b>\$7,911.80</b>
452-0004-043-00	\$93.08		
452-0004-045-00	\$93.08		
452-0004-046-00	\$93.08		
452-0004-047-00	\$93.08		
452-0004-048-00	\$93.08		
452-0004-049-00	\$93.08		
452-0004-050-00	\$93.08		
452-0004-051-00	\$93.08		
452-0004-052-00	\$93.08		
452-0004-053-00	\$93.08		
452-0004-054-00	\$93.08		
452-0004-055-00	\$93.08		
452-0004-056-00	\$93.08		
452-0004-057-00	\$93.08		
452-0004-058-00	\$93.08		

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

*Zone 03*  
*Hayward Blvd. & Fairview Ave.*  
PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
425 -0490-008-00	\$797.06	425 -0490-062-00	\$797.06	425 -0490-124-00	\$797.06		
425 -0490-009-00	\$797.06	425 -0490-063-00	\$797.06	425 -0490-125-00	\$797.06	<b>Total Parcels:</b>	<b>@ 155</b>
425 -0490-010-00	\$797.06	425 -0490-064-00	\$797.06	425 -0490-127-00	\$797.06		
425 -0490-011-00	\$797.06	425 -0490-065-00	\$797.06	425 -0490-128-00	\$797.06	<b>Total</b>	
425 -0490-012-00	\$797.06	425 -0490-066-00	\$797.06	425 -0490-129-00	\$797.06	<b>Assessment:</b>	<b>\$1 23,544.30</b>
425 -0490-013-00	\$797.06	425 -0490-067-00	\$797.06	425 -0490-130-00	\$797.06		
425 -0490-014-00	\$797.06	425 -0490-068-00	\$797.06	425 -0490-131-00	\$797.06		
425 -0490-015-00	\$797.06	425 -0490-069-00	\$797.06	425 -0490-132-00	\$797.06		
425 -0490-016-00	\$797.06	425 -0490-070-00	\$797.06	425 -0490-133-00	\$797.06		
425 -0490-017-00	\$797.06	425 -0490-071-00	\$797.06	425 -0490-134-00	\$797.06		
425 -0490-018-00	\$797.06	425 -0490-072-00	\$797.06	425 -0490-135-00	\$797.06		
425 -0490-019-00	\$797.06	425 -0490-073-00	\$797.06	425 -0490-136-00	\$797.06		
425 -0490-020-00	\$797.06	425 -0490-074-00	\$797.06	425 -0490-137-00	\$797.06		
425 -0490-021-00	\$797.06	425 -0490-075-00	\$797.06	425 -0490-138-00	\$797.06		
425 -0490-022-00	\$797.06	425 -0490-076-00	\$797.06	425 -0490-139-00	\$797.06		
425 -0490-023-00	\$797.06	425 -0490-077-00	\$797.06	425 -0490-140-00	\$797.06		
425 -0490-024-00	\$797.06	425 -0490-078-00	\$797.06	425 -0490-141-00	\$797.06		
425 -0490-025-00	\$797.06	425 -0490-079-00	\$797.06	425 -0490-142-00	\$797.06		
425 -0490-026-00	\$797.06	425 -0490-080-00	\$797.06	425 -0490-143-00	\$797.06		
425 -0490-027-00	\$797.06	425 -0490-081-00	\$797.06	425 -0490-144-00	\$797.06		
425 -0490-028-00	\$797.06	425 -0490-082-00	\$797.06	425 -0490-145-00	\$797.06		
425 -0490-029-00	\$797.06	425 -0490-083-00	\$797.06	425 -0490-146-00	\$797.06		
425 -0490-030-00	\$797.06	425 -0490-084-00	\$797.06	425 -0490-147-00	\$797.06		
425 -0490-031-00	\$797.06	425 -0490-085-00	\$797.06	425 -0490-148-00	\$797.06		
425 -0490-032-00	\$797.06	425 -0490-086-00	\$797.06	425 -0490-149-00	\$797.06		
425 -0490-033-00	\$797.06	425 -0490-087-00	\$797.06	425 -0490-150-00	\$797.06		
425 -0490-034-00	\$797.06	425 -0490-088-00	\$797.06	425 -0490-151-00	\$797.06		
425 -0490-035-00	\$797.06	425 -0490-093-00	\$797.06	425 -0490-152-00	\$797.06		
425 -0490-037-00	\$797.06	425 -0490-095-00	\$797.06	425 -0490-153-00	\$797.06		
425 -0490-039-00	\$797.06	425 -0490-097-00	\$797.06	425 -0490-154-00	\$797.06		
425 -0490-040-00	\$797.06	425 -0490-098-00	\$797.06	425 -0490-155-00	\$797.06		
425 -0490-041-00	\$797.06	425 -0490-099-00	\$797.06	425 -0490-156-00	\$797.06		
425 -0490-042-00	\$797.06	425 -0490-101-00	\$797.06	425 -0490-157-00	\$797.06		
425 -0490-043-00	\$797.06	425 -0490-102-00	\$797.06	425 -0490-158-00	\$797.06		
425 -0490-044-00	\$797.06	425 -0490-103-00	\$797.06	425 -0490-159-00	\$797.06		
425 -0490-045-00	\$797.06	425 -0490-104-00	\$797.06	425 -0490-160-00	\$797.06		
425 -0490-046-00	\$797.06	425 -0490-105-00	\$797.06	425 -0490-161-00	\$797.06		
425 -0490-047-00	\$797.06	425 -0490-106-00	\$797.06	425 -0490-162-00	\$797.06		
425 -0490-048-00	\$797.06	425 -0490-109-00	\$797.06	425 -0490-163-00	\$797.06		
425 -0490-049-00	\$797.06	425 -0490-111-00	\$797.06	425 -0490-164-00	\$797.06		
425 -0490-050-00	\$797.06	425 -0490-112-00	\$797.06	425 -0490-165-00	\$797.06		
425 -0490-051-00	\$797.06	425 -0490-113-00	\$797.06	425 -0490-166-00	\$797.06		
425 -0490-052-00	\$797.06	425 -0490-114-00	\$797.06	425 -0490-167-00	\$797.06		
425 -0490-053-00	\$797.06	425 -0490-115-00	\$797.06	425 -0490-168-00	\$797.06		
425 -0490-054-00	\$797.06	425 -0490-116-00	\$797.06	425 -0490-169-00	\$797.06		
425 -0490-055-00	\$797.06	425 -0490-117-00	\$797.06	425 -0490-170-00	\$797.06		
425 -0490-056-00	\$797.06	425 -0490-118-00	\$797.06	425 -0490-171-00	\$797.06		
425 -0490-057-00	\$797.06	425 -0490-119-00	\$797.06	425 -0490-091-01	\$797.06		
425 -0490-058-00	\$797.06	425 -0490-120-00	\$797.06	425 -0490-175-00	\$797.06		
425 -0490-059-00	\$797.06	425 -0490-121-00	\$797.06	425 -0490-177-00	\$797.06		
425 -0490-060-02	\$797.06	425 -0490-122-00	\$797.06	425 -0490-178-01	\$797.06		
425 -0490-061-01	\$797.06	425 -0490-123-00	\$797.06				

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

*Zone 04*  
*Pacheco Wy, Stratford Rd, Russ Ln, Ward*

PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
464-0121-001-00	\$121.00	464-0121-059-00	\$121.00	464-0122-017-00	\$121.00	464-0122-069-00	\$121.00
464-0121-002-00	\$121.00	464-0121-060-00	\$121.00	464-0122-018-00	\$121.00	464-0122-070-00	\$121.00
464-0121-003-00	\$121.00	464-0121-061-00	\$121.00	464-0122-019-00	\$121.00	464-0122-071-00	\$121.00
464-0121-004-00	\$121.00	464-0121-062-00	\$121.00	464-0122-020-00	\$121.00	464-0122-072-00	\$121.00
464-0121-005-00	\$121.00	464-0121-063-00	\$121.00	464-0122-021-00	\$121.00	464-0122-073-00	\$121.00
464-0121-006-00	\$121.00	464-0121-064-00	\$121.00	464-0122-022-00	\$121.00	464-0122-074-00	\$121.00
464-0121-007-00	\$121.00	464-0121-065-00	\$121.00	464-0122-023-00	\$121.00	464-0122-075-00	\$121.00
464-0121-008-00	\$121.00	464-0121-066-00	\$121.00	464-0122-024-00	\$121.00	464-0122-076-00	\$121.00
464-0121-009-00	\$121.00	464-0121-067-00	\$121.00	464-0122-025-00	\$121.00	464-0122-077-00	\$121.00
464-0121-010-00	\$121.00	464-0121-068-00	\$121.00	464-0122-026-00	\$121.00	464-0122-078-00	\$121.00
464-0121-011-00	\$121.00	464-0121-069-00	\$121.00	464-0122-027-00	\$121.00	464-0122-079-00	\$121.00
464-0121-012-00	\$121.00	464-0121-070-00	\$121.00	464-0122-028-00	\$121.00	464-0122-080-00	\$121.00
464-0121-013-00	\$121.00	464-0121-071-00	\$121.00	464-0122-029-00	\$121.00	464-0122-081-00	\$121.00
464-0121-014-00	\$121.00	464-0121-072-00	\$121.00	464-0122-030-00	\$121.00	464-0122-082-00	\$121.00
464-0121-015-00	\$121.00	464-0121-073-00	\$121.00	464-0122-031-00	\$121.00	464-0122-083-00	\$121.00
464-0121-016-00	\$121.00	464-0121-074-00	\$121.00	464-0122-032-00	\$121.00	464-0122-084-00	\$121.00
464-0121-017-00	\$121.00	464-0121-075-00	\$121.00	464-0122-033-00	\$121.00	464-0122-085-00	\$121.00
464-0121-018-00	\$121.00	464-0121-076-00	\$121.00	464-0122-034-00	\$121.00	464-0122-086-00	\$121.00
464-0121-019-00	\$121.00	464-0121-077-00	\$121.00	464-0122-035-00	\$121.00	464-0122-087-00	\$121.00
464-0121-020-00	\$121.00	464-0121-078-00	\$121.00	464-0122-036-00	\$121.00		
464-0121-021-00	\$121.00	464-0121-080-00	\$121.00	464-0122-037-00	\$121.00	<b>Total Parcels:</b>	<b>@ 175</b>
464-0121-022-00	\$121.00	464-0121-081-00	\$121.00	464-0122-038-00	\$121.00	<b>Total</b>	
464-0121-023-00	\$121.00	464-0121-082-00	\$121.00	464-0122-039-00	\$121.00	<b>Assessment:</b>	<b>\$21,175.00</b>
464-0121-024-00	\$121.00	464-0121-083-00	\$121.00	464-0122-040-00	\$121.00		
464-0121-025-00	\$121.00	464-0121-084-00	\$121.00	464-0122-041-00	\$121.00		
464-0121-026-00	\$121.00	464-0121-085-00	\$121.00	464-0122-042-00	\$121.00		
464-0121-027-00	\$121.00	464-0121-086-00	\$121.00	464-0122-043-00	\$121.00		
464-0121-028-00	\$121.00	464-0121-087-00	\$121.00	464-0122-044-00	\$121.00		
464-0121-029-00	\$121.00	464-0121-088-00	\$121.00	464-0122-045-00	\$121.00		
464-0121-030-00	\$121.00	464-0121-089-00	\$121.00	464-0122-046-00	\$121.00		
464-0121-031-00	\$121.00	464-0121-090-00	\$121.00	464-0122-047-00	\$121.00		
464-0121-032-00	\$121.00	464-0121-091-00	\$121.00	464-0122-048-00	\$121.00		
464-0121-033-00	\$121.00	464-0121-092-00	\$121.00	464-0122-049-00	\$121.00		
464-0121-034-00	\$121.00	464-0121-093-00	\$121.00	464-0122-050-00	\$121.00		
464-0121-035-00	\$121.00	464-0121-094-00	\$121.00	464-0122-051-00	\$121.00		
464-0121-036-00	\$121.00	464-0121-095-00	\$121.00	464-0122-052-00	\$121.00		
464-0121-037-00	\$121.00	464-0121-096-00	\$121.00	464-0122-053-00	\$121.00		
464-0121-038-00	\$121.00	464-0122-001-00	\$121.00	464-0122-054-00	\$121.00		
464-0121-039-00	\$121.00	464-0122-003-00	\$121.00	464-0122-055-00	\$121.00		
464-0121-040-00	\$121.00	464-0122-004-00	\$121.00	464-0122-056-00	\$121.00		
464-0121-041-00	\$121.00	464-0122-005-00	\$121.00	464-0122-057-00	\$121.00		
464-0121-042-00	\$121.00	464-0122-006-00	\$121.00	464-0122-058-00	\$121.00		
464-0121-049-00	\$121.00	464-0122-007-00	\$121.00	464-0122-059-00	\$121.00		
464-0121-050-00	\$121.00	464-0122-008-00	\$121.00	464-0122-060-00	\$121.00		
464-0121-051-00	\$121.00	464-0122-009-00	\$121.00	464-0122-061-00	\$121.00		
464-0121-052-00	\$121.00	464-0122-010-00	\$121.00	464-0122-062-00	\$121.00		
464-0121-053-00	\$121.00	464-0122-011-00	\$121.00	464-0122-063-00	\$121.00		
464-0121-054-00	\$121.00	464-0122-012-00	\$121.00	464-0122-064-00	\$121.00		
464-0121-055-00	\$121.00	464-0122-013-00	\$121.00	464-0122-065-00	\$121.00		
464-0121-056-00	\$121.00	464-0122-014-00	\$121.00	464-0122-066-00	\$121.00		
464-0121-057-00	\$121.00	464-0122-015-00	\$121.00	464-0122-067-00	\$121.00		
464-0121-058-00	\$121.00	464-0122-016-00	\$121.00	464-0122-068-00	\$121.00		

*Zone 05*  
*Soto Rd. & Plum Tree St.*  
 PRELIMINARY ASSESSMENT ROLL  
 FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount
444-0048-078-00	\$198.50
444-0048-079-00	\$198.50
444-0048-080-00	\$198.50
444-0048-081-00	\$198.50
444-0048-082-00	\$198.50
444-0048-083-00	\$198.50
444-0048-084-00	\$198.50
444-0048-085-00	\$198.50
444-0048-086-00	\$198.50
444-0048-087-00	\$198.50
444-0048-088-00	\$198.50
444-0048-089-00	\$198.50
444-0048-090-00	\$198.50
444-0048-091-00	\$198.50
444-0048-092-00	\$198.50
444-0048-097-00	\$198.50
444-0048-098-00	\$198.50
444-0048-099-00	\$198.50
444-0048-100-00	\$198.50
444-0048-101-00	\$198.50
444-0048-102-00	\$198.50
444-0048-103-00	\$198.50
444-0048-104-00	\$198.50
444-0048-105-00	\$198.50
444-0048-106-00	\$198.50
444-0048-107-00	\$198.50
444-0048-108-00	\$198.50
444-0048-109-00	\$198.50
444-0048-110-00	\$198.50
444-0048-111-00	\$198.50
444-0048-112-00	\$198.50
444-0048-113-00	\$198.50
444-0048-114-00	\$198.50
444-0048-115-00	\$198.50
444-0048-116-00	\$198.50
444-0048-117-00	\$198.50
444-0048-118-00	\$198.50
444-0048-119-00	\$198.50
<b>Total Parcels:</b>	<b>@ 38</b>
<b>Total Assessment:</b>	<b>\$7,543.00</b>

*Zone 06*  
*Peppertree Pk*

PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

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

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

*Zone 07*  
*Mission Blvd, Industrial Pkwy, Arrowhead*

PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
078G-2651-016-00	\$563.52	078G-2652-050-00	\$563.52	078G-2652-102-00	\$563.52	078G-2652-154-00	\$563.52
078G-2651-018-01	\$563.52	078G-2652-051-00	\$563.52	078G-2652-103-00	\$563.52	078G-2652-155-00	\$563.52
078G-2651-018-02	\$563.52	078G-2652-052-00	\$563.52	078G-2652-104-00	\$563.52	078G-2652-156-00	\$563.52
078G-2651-019-00	\$563.52	078G-2652-053-00	\$563.52	078G-2652-105-00	\$563.52	078G-2652-157-00	\$563.52
078G-2652-002-00	\$563.52	078G-2652-054-00	\$563.52	078G-2652-106-00	\$563.52	078G-2652-158-00	\$563.52
078G-2652-003-00	\$563.52	078G-2652-055-00	\$563.52	078G-2652-107-00	\$563.52	078G-2652-159-00	\$563.52
078G-2652-004-00	\$563.52	078G-2652-056-00	\$563.52	078G-2652-108-00	\$563.52	078G-2652-160-00	\$563.52
078G-2652-005-00	\$563.52	078G-2652-057-00	\$563.52	078G-2652-109-00	\$563.52	078G-2652-161-00	\$563.52
078G-2652-006-00	\$563.52	078G-2652-058-00	\$563.52	078G-2652-110-00	\$563.52	078G-2653-001-00	\$563.52
078G-2652-007-00	\$563.52	078G-2652-059-00	\$563.52	078G-2652-111-00	\$563.52	078G-2653-002-00	\$563.52
078G-2652-008-00	\$563.52	078G-2652-060-00	\$563.52	078G-2652-112-00	\$563.52	078G-2653-003-00	\$563.52
078G-2652-009-00	\$563.52	078G-2652-061-00	\$563.52	078G-2652-113-00	\$563.52	078G-2653-004-00	\$563.52
078G-2652-010-00	\$563.52	078G-2652-062-00	\$563.52	078G-2652-114-00	\$563.52	078G-2653-005-00	\$563.52
078G-2652-011-00	\$563.52	078G-2652-063-00	\$563.52	078G-2652-115-00	\$563.52	078G-2653-006-00	\$563.52
078G-2652-012-00	\$563.52	078G-2652-064-00	\$563.52	078G-2652-116-00	\$563.52	078G-2653-007-00	\$563.52
078G-2652-013-00	\$563.52	078G-2652-065-00	\$563.52	078G-2652-117-00	\$563.52	078G-2653-008-00	\$563.52
078G-2652-014-00	\$563.52	078G-2652-066-00	\$563.52	078G-2652-118-00	\$563.52	078G-2653-009-00	\$563.52
078G-2652-015-00	\$563.52	078G-2652-067-00	\$563.52	078G-2652-119-00	\$563.52	078G-2653-010-00	\$563.52
078G-2652-016-00	\$563.52	078G-2652-068-00	\$563.52	078G-2652-120-00	\$563.52	078G-2653-011-00	\$563.52
078G-2652-017-00	\$563.52	078G-2652-069-00	\$563.52	078G-2652-121-00	\$563.52	078G-2653-012-00	\$563.52
078G-2652-018-00	\$563.52	078G-2652-070-00	\$563.52	078G-2652-122-00	\$563.52	078G-2653-013-00	\$563.52
078G-2652-019-00	\$563.52	078G-2652-071-00	\$563.52	078G-2652-123-00	\$563.52	078G-2653-014-00	\$563.52
078G-2652-020-00	\$563.52	078G-2652-072-00	\$563.52	078G-2652-124-00	\$563.52	078G-2653-015-00	\$563.52
078G-2652-021-00	\$563.52	078G-2652-073-00	\$563.52	078G-2652-125-00	\$563.52	078G-2653-016-00	\$563.52
078G-2652-022-00	\$563.52	078G-2652-074-00	\$563.52	078G-2652-126-00	\$563.52	078G-2653-017-00	\$563.52
078G-2652-023-00	\$563.52	078G-2652-075-00	\$563.52	078G-2652-127-00	\$563.52	078G-2653-018-00	\$563.52
078G-2652-024-00	\$563.52	078G-2652-076-00	\$563.52	078G-2652-128-00	\$563.52	078G-2653-019-00	\$563.52
078G-2652-025-00	\$563.52	078G-2652-077-00	\$563.52	078G-2652-129-00	\$563.52	078G-2653-020-00	\$563.52
078G-2652-026-00	\$563.52	078G-2652-078-00	\$563.52	078G-2652-130-00	\$563.52	078G-2653-021-00	\$563.52
078G-2652-027-00	\$563.52	078G-2652-079-00	\$563.52	078G-2652-131-00	\$563.52	078G-2653-022-00	\$563.52
078G-2652-028-00	\$563.52	078G-2652-080-00	\$563.52	078G-2652-132-00	\$563.52	078G-2653-023-00	\$563.52
078G-2652-029-00	\$563.52	078G-2652-081-00	\$563.52	078G-2652-133-00	\$563.52	078G-2653-024-00	\$563.52
078G-2652-030-00	\$563.52	078G-2652-082-00	\$563.52	078G-2652-134-00	\$563.52	078G-2653-025-00	\$563.52
078G-2652-031-00	\$563.52	078G-2652-083-00	\$563.52	078G-2652-135-00	\$563.52	078G-2653-026-00	\$563.52
078G-2652-032-00	\$563.52	078G-2652-084-00	\$563.52	078G-2652-136-00	\$563.52	078G-2653-027-00	\$563.52
078G-2652-033-00	\$563.52	078G-2652-085-00	\$563.52	078G-2652-137-00	\$563.52	078G-2653-028-00	\$563.52
078G-2652-034-00	\$563.52	078G-2652-086-00	\$563.52	078G-2652-138-00	\$563.52	078G-2653-029-00	\$563.52
078G-2652-035-00	\$563.52	078G-2652-087-00	\$563.52	078G-2652-139-00	\$563.52	078G-2653-030-00	\$563.52
078G-2652-036-00	\$563.52	078G-2652-088-00	\$563.52	078G-2652-140-00	\$563.52	078G-2653-031-00	\$563.52
078G-2652-037-00	\$563.52	078G-2652-089-00	\$563.52	078G-2652-141-00	\$563.52	078G-2653-032-00	\$563.52
078G-2652-038-00	\$563.52	078G-2652-090-00	\$563.52	078G-2652-142-00	\$563.52	078G-2653-033-00	\$563.52
078G-2652-039-00	\$563.52	078G-2652-091-00	\$563.52	078G-2652-143-00	\$563.52	078G-2653-034-00	\$563.52
078G-2652-040-00	\$563.52	078G-2652-092-00	\$563.52	078G-2652-144-00	\$563.52	078G-2653-035-00	\$563.52
078G-2652-041-00	\$563.52	078G-2652-093-00	\$563.52	078G-2652-145-00	\$563.52	078G-2653-036-00	\$563.52
078G-2652-042-00	\$563.52	078G-2652-094-00	\$563.52	078G-2652-146-00	\$563.52	078G-2653-037-00	\$563.52
078G-2652-043-00	\$563.52	078G-2652-095-00	\$563.52	078G-2652-147-00	\$563.52	078G-2653-038-00	\$563.52
078G-2652-044-00	\$563.52	078G-2652-096-00	\$563.52	078G-2652-148-00	\$563.52	078G-2653-039-00	\$563.52
078G-2652-045-00	\$563.52	078G-2652-097-00	\$563.52	078G-2652-149-00	\$563.52	078G-2653-040-00	\$563.52
078G-2652-046-00	\$563.52	078G-2652-098-00	\$563.52	078G-2652-150-00	\$563.52	078G-2653-041-00	\$563.52
078G-2652-047-00	\$563.52	078G-2652-099-00	\$563.52	078G-2652-151-00	\$563.52	078G-2653-042-00	\$563.52
078G-2652-048-00	\$563.52	078G-2652-100-00	\$563.52	078G-2652-152-00	\$563.52	078G-2653-043-00	\$563.52
078G-2652-049-00	\$563.52	078G-2652-101-00	\$563.52	078G-2652-153-00	\$563.52	078G-2653-044-00	\$563.52

Zone 07

Mission Blvd, Industrial Pkwy, Arrowhead

PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
078G-2653-045-00	\$563.52	078G-2654-010-00	\$563.52	078G-2654-062-00	\$563.52
078G-2653-046-00	\$563.52	078G-2654-011-00	\$563.52	078G-2654-063-00	\$563.52
078G-2653-047-00	\$563.52	078G-2654-012-00	\$563.52	078G-2654-064-00	\$563.52
078G-2653-048-00	\$563.52	078G-2654-013-00	\$563.52	078G-2654-065-00	\$563.52
078G-2653-049-00	\$563.52	078G-2654-014-00	\$563.52	078G-2654-066-00	\$563.52
078G-2653-050-00	\$563.52	078G-2654-015-00	\$563.52	078G-2654-067-00	\$563.52
078G-2653-051-00	\$563.52	078G-2654-016-00	\$563.52	078G-2654-068-00	\$563.52
078G-2653-052-00	\$563.52	078G-2654-017-00	\$563.52	078G-2654-069-00	\$563.52
078G-2653-053-00	\$563.52	078G-2654-018-00	\$563.52	078G-2654-070-00	\$563.52
078G-2653-054-00	\$563.52	078G-2654-019-00	\$563.52	078G-2654-071-00	\$563.52
078G-2653-055-00	\$563.52	078G-2654-020-00	\$563.52	078G-2654-072-00	\$563.52
078G-2653-056-00	\$563.52	078G-2654-021-00	\$563.52	078G-2654-073-00	\$563.52
078G-2653-057-00	\$563.52	078G-2654-022-00	\$563.52	078G-2654-074-00	\$563.52
078G-2653-058-00	\$563.52	078G-2654-023-00	\$563.52	078G-2654-075-00	\$563.52
078G-2653-059-00	\$563.52	078G-2654-024-00	\$563.52	078G-2654-076-00	\$563.52
078G-2653-060-00	\$563.52	078G-2654-025-00	\$563.52	078G-2654-077-00	\$563.52
078G-2653-061-00	\$563.52	078G-2654-026-00	\$563.52	078G-2654-078-00	\$563.52
078G-2653-062-00	\$563.52	078G-2654-027-00	\$563.52	078G-2654-079-00	\$563.52
078G-2653-063-00	\$563.52	078G-2654-028-00	\$563.52	078G-2654-080-00	\$563.52
078G-2653-064-00	\$563.52	078G-2654-029-00	\$563.52	078G-2654-081-00	\$563.52
078G-2653-065-00	\$563.52	078G-2654-030-00	\$563.52	078G-2654-082-00	\$563.52
078G-2653-066-00	\$563.52	078G-2654-031-00	\$563.52	078G-2654-083-00	\$563.52
078G-2653-067-00	\$563.52	078G-2654-032-00	\$563.52	078G-2654-084-00	\$563.52
078G-2653-068-00	\$563.52	078G-2654-033-00	\$563.52	078G-2654-085-00	\$563.52
078G-2653-069-00	\$563.52	078G-2654-034-00	\$563.52	078G-2654-086-00	\$563.52
078G-2653-070-00	\$563.52	078G-2654-035-00	\$563.52	078G-2654-087-00	\$563.52
078G-2653-071-00	\$563.52	078G-2654-036-00	\$563.52	078G-2654-088-00	\$563.52
078G-2653-072-00	\$563.52	078G-2654-037-00	\$563.52	078G-2654-089-00	\$563.52
078G-2653-073-00	\$563.52	078G-2654-038-00	\$563.52	078G-2654-090-00	\$563.52
078G-2653-074-00	\$563.52	078G-2654-039-00	\$563.52	078G-2654-091-00	\$563.52
078G-2653-075-00	\$563.52	078G-2654-040-00	\$563.52	078G-2654-092-00	\$563.52
078G-2653-076-00	\$563.52	078G-2654-041-00	\$563.52	078G-2654-093-00	\$563.52
078G-2653-077-00	\$563.52	078G-2654-042-00	\$563.52	078G-2654-094-03	\$563.52
078G-2653-078-00	\$563.52	078G-2654-043-00	\$563.52	078G-2654-095-03	\$563.52
078G-2653-079-00	\$563.52	078G-2654-044-00	\$563.52	078G-2654-096-00	\$563.52
078G-2653-080-00	\$563.52	078G-2654-045-00	\$563.52	078G-2651-017-02	\$563.52
078G-2653-081-00	\$563.52	078G-2654-046-00	\$563.52		
078G-2653-082-00	\$563.52	078G-2654-047-00	\$563.52	<b>Total Parcels:</b>	<b>@ 348</b>
078G-2653-083-00	\$563.52	078G-2654-048-00	\$563.52		
078G-2653-084-00	\$563.52	078G-2654-049-00	\$563.52	<b>Total</b>	
078G-2653-085-00	\$563.52	078G-2654-050-00	\$563.52	<b>Assessment:</b>	<b>\$196,104.96</b>
078G-2653-086-00	\$563.52	078G-2654-051-00	\$563.52		
078G-2653-087-00	\$563.52	078G-2654-052-00	\$563.52		
078G-2654-001-00	\$563.52	078G-2654-053-00	\$563.52		
078G-2654-002-00	\$563.52	078G-2654-054-00	\$563.52		
078G-2654-003-00	\$563.52	078G-2654-055-00	\$563.52		
078G-2654-004-00	\$563.52	078G-2654-056-00	\$563.52		
078G-2654-005-00	\$563.52	078G-2654-057-00	\$563.52		
078G-2654-006-00	\$563.52	078G-2654-058-00	\$563.52		
078G-2654-007-00	\$563.52	078G-2654-059-00	\$563.52		
078G-2654-008-00	\$563.52	078G-2654-060-00	\$563.52		
078G-2654-009-00	\$563.52	078G-2654-061-00	\$563.52		

*Zone 08*  
*Capitola St.*

PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

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

*Zone 09*  
*Orchard Avenue*

PRELIMINARY ASSESSMENT ROLL  
 FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
444-0049-001-00	\$20.00	444-0049-053-00	\$20.00
444-0049-002-00	\$20.00	444-0049-054-00	\$20.00
444-0049-003-00	\$20.00	444-0049-055-00	\$20.00
444-0049-004-00	\$20.00	444-0049-056-00	\$20.00
444-0049-005-00	\$20.00	444-0049-057-00	\$20.00
444-0049-006-00	\$20.00	444-0049-058-00	\$20.00
444-0049-007-00	\$20.00	444-0049-059-00	\$20.00
444-0049-008-00	\$20.00	444-0049-060-00	\$20.00
444-0049-009-00	\$20.00	444-0049-061-00	\$20.00
444-0049-010-00	\$20.00	444-0049-062-00	\$20.00
444-0049-011-00	\$20.00	444-0049-063-00	\$20.00
444-0049-012-00	\$20.00	444-0049-064-00	\$20.00
444-0049-013-00	\$20.00	444-0049-065-00	\$20.00
444-0049-014-00	\$20.00	444-0049-066-00	\$20.00
444-0049-015-00	\$20.00	444-0049-067-00	\$20.00
444-0049-016-00	\$20.00	444-0049-068-00	\$20.00
444-0049-017-00	\$20.00	444-0049-069-00	\$20.00
444-0049-018-00	\$20.00	444-0049-070-00	\$20.00
444-0049-019-00	\$20.00	444-0049-071-00	\$20.00
444-0049-020-00	\$20.00	444-0049-072-00	\$20.00
444-0049-021-00	\$20.00	444-0049-073-00	\$20.00
444-0049-022-00	\$20.00	444-0049-074-00	\$20.00
444-0049-023-00	\$20.00		
444-0049-024-00	\$20.00	<b>Total Parcels:</b>	<b>@ 74</b>
444-0049-025-00	\$20.00	<b>Total</b>	
444-0049-026-00	\$20.00	<b>Assessment:</b>	<b>\$1,480.00</b>
444-0049-027-00	\$20.00		
444-0049-028-00	\$20.00		
444-0049-029-00	\$20.00		
444-0049-030-00	\$20.00		
444-0049-031-00	\$20.00		
444-0049-032-00	\$20.00		
444-0049-033-00	\$20.00		
444-0049-034-00	\$20.00		
444-0049-035-00	\$20.00		
444-0049-036-00	\$20.00		
444-0049-037-00	\$20.00		
444-0049-038-00	\$20.00		
444-0049-039-00	\$20.00		
444-0049-040-00	\$20.00		
444-0049-041-00	\$20.00		
444-0049-042-00	\$20.00		
444-0049-043-00	\$20.00		
444-0049-044-00	\$20.00		
444-0049-045-00	\$20.00		
444-0049-046-00	\$20.00		
444-0049-047-00	\$20.00		
444-0049-048-00	\$20.00		
444-0049-049-00	\$20.00		
444-0049-050-00	\$20.00		
444-0049-051-00	\$20.00		
444-0049-052-00	\$20.00		





*Zone 10*  
*Eden Shores*

PRELIMINARY ASSESSMENT ROLL  
 FISCAL YEAR 2016

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

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

*Zone II*  
*Stonebrae LLAD*

PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

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



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

PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount
085A-6434-074-00	\$379.42
085A-6434-075-00	\$379.42
085A-6434-076-00	\$379.42
085A-6434-077-00	\$379.42
085A-6434-078-00	\$379.42
085A-6434-079-00	\$379.42
085A-6434-080-00	\$379.42
085A-6434-081-00	\$379.42
085A-6434-082-00	\$379.42
085A-6434-083-00	\$379.42
085A-6434-084-00	\$379.42
085A-6434-085-00	\$379.42
085A-6434-086-00	\$379.42
085A-6434-087-00	\$379.42
085A-6434-088-00	\$379.42
<hr/>	
Total Parcels:	@ 431
Total Assessment:	\$1,92,309.36



*Zone 12*  
*Eden Shores East*

PRELIMINARY ASSESSMENT ROLL  
 FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount
456-0098-103-00	\$189.26
456-0098-104-00	\$189.26
456-0098-105-00	\$189.26
456-0098-106-00	\$189.26
456-0098-107-00	\$189.26
456-0098-108-00	\$189.26
456-0098-110-00	\$189.26
456-0098-111-00	\$189.26
456-0098-112-00	\$189.26
456-0098-113-00	\$189.26
456-0098-114-00	\$189.26
456-0098-115-00	\$189.26
456-0098-117-00	\$189.26
456-0098-118-00	\$189.26
456-0098-119-00	\$189.26
456-0098-120-00	\$189.26
456-0098-121-00	\$189.26
456-0098-122-00	\$189.26
456-0098-124-00	\$189.26
456-0098-125-00	\$189.26
456-0098-126-00	\$189.26
456-0098-127-00	\$189.26
456-0098-128-00	\$189.26
456-0098-129-00	\$189.26
456-0098-131-00	\$189.26
456-0098-132-00	\$189.26
456-0098-133-00	\$189.26
456-0098-134-00	\$189.26
456-0098-135-00	\$189.26
456-0098-136-00	\$189.26
456-0098-138-00	\$189.26
456-0098-139-00	\$189.26
456-0098-140-00	\$189.26
456-0098-141-00	\$189.26
456-0098-143-00	\$189.26
456-0098-144-00	\$189.26
456-0098-145-00	\$189.26
456-0098-146-00	\$189.26
456-0098-147-00	\$189.26
456-0098-148-00	\$189.26
456-0098-150-00	\$189.26
456-0098-151-00	\$189.26
456-0098-152-00	\$189.26
456-0098-153-00	\$189.26
456-0098-154-00	\$189.26
456-0098-155-00	\$189.26
456-0098-157-00	\$189.26
456-0098-158-00	\$189.26
456-0098-159-00	\$189.26
456-0098-160-00	\$189.26
456-0098-161-00	\$189.26
456-0098-162-00	\$189.26

Assessor's Parcel Number	Assessment Amount
456-0100-044-01	\$189.26
<b>Total Parcels:</b>	<b>@ 261</b>
<b>Total Assessment:</b>	<b>\$49,396.86</b>





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

PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount						
431-0118-056-00	\$361.00	431-0118-117-00	\$361.00	431-0118-181-00	\$361.00	431-0112-122-00	\$361.00
431-0118-057-00	\$361.00	431-0118-119-00	\$361.00	431-0118-182-00	\$361.00	431-0112-123-00	\$361.00
431-0118-058-00	\$361.00	431-0118-120-00	\$361.00	431-0118-183-00	\$361.00	431-0112-124-00	\$361.00
431-0118-059-00	\$361.00	431-0118-121-00	\$361.00	431-0118-185-00	\$361.00	431-0112-125-00	\$361.00
431-0118-060-00	\$361.00	431-0118-122-00	\$361.00	431-0118-186-00	\$361.00	431-0112-126-00	\$361.00
431-0118-062-00	\$361.00	431-0118-123-00	\$361.00	431-0118-187-00	\$361.00	431-0112-127-00	\$361.00
431-0118-063-00	\$361.00	431-0118-142-00	\$361.00	431-0118-188-00	\$361.00	431-0112-128-00	\$361.00
431-0118-064-00	\$361.00	431-0118-143-00	\$361.00	431-0118-190-00	\$361.00	431-0112-130-00	\$361.00
431-0118-065-00	\$361.00	431-0118-144-00	\$361.00	431-0118-191-00	\$361.00	431-0112-131-00	\$361.00
431-0118-066-00	\$361.00	431-0118-145-00	\$361.00	431-0118-192-00	\$361.00	431-0112-132-00	\$361.00
431-0118-068-00	\$361.00	431-0118-125-00	\$361.00	431-0118-193-00	\$361.00	431-0112-133-00	\$361.00
431-0118-069-00	\$361.00	431-0118-126-00	\$361.00	431-0118-194-00	\$361.00	431-0112-134-00	\$361.00
431-0118-070-00	\$361.00	431-0118-127-00	\$361.00	431-0118-196-00	\$361.00	431-0112-135-00	\$361.00
431-0118-071-00	\$361.00	431-0118-128-00	\$361.00	431-0118-197-00	\$361.00	431-0112-136-00	\$361.00
431-0118-072-00	\$361.00	431-0118-129-00	\$361.00	431-0118-198-00	\$361.00	431-0112-137-00	\$361.00
431-0118-081-00	\$361.00	431-0118-131-00	\$361.00	431-0118-199-00	\$361.00	431-0112-139-00	\$361.00
431-0118-082-00	\$361.00	431-0118-132-00	\$361.00	431-0118-200-00	\$361.00	431-0112-140-00	\$361.00
431-0118-083-00	\$361.00	431-0118-133-00	\$361.00	431-0118-202-00	\$361.00	431-0112-141-00	\$361.00
431-0118-084-00	\$361.00	431-0118-134-00	\$361.00	431-0118-203-00	\$361.00	431-0112-142-00	\$361.00
431-0118-085-00	\$361.00	431-0118-135-00	\$361.00	431-0118-204-00	\$361.00	431-0112-143-00	\$361.00
431-0118-086-00	\$361.00	431-0118-137-00	\$361.00	431-0118-205-00	\$361.00	431-0112-144-00	\$361.00
431-0118-074-00	\$361.00	431-0118-138-00	\$361.00	431-0118-207-00	\$361.00	431-0113-080-00	\$361.00
431-0118-075-00	\$361.00	431-0118-139-00	\$361.00	431-0118-208-00	\$361.00	431-0113-081-00	\$361.00
431-0118-076-00	\$361.00	431-0118-140-00	\$361.00	431-0118-209-00	\$361.00	431-0113-082-00	\$361.00
431-0118-077-00	\$361.00	431-0118-147-00	\$361.00	431-0118-210-00	\$361.00	431-0113-083-00	\$361.00
431-0118-078-00	\$361.00	431-0118-148-00	\$361.00	431-0118-211-00	\$361.00	431-0113-084-00	\$361.00
431-0118-079-00	\$361.00	431-0118-149-00	\$361.00	431-0118-212-00	\$361.00	431-0113-085-00	\$361.00
431-0118-095-00	\$361.00	431-0118-150-00	\$361.00	431-0118-214-00	\$361.00		
431-0118-096-00	\$361.00	431-0118-151-00	\$361.00	431-0118-215-00	\$361.00	<b>Total Parcels:</b>	<b>@ 599</b>
431-0118-097-00	\$361.00	431-0118-153-00	\$361.00	431-0118-216-00	\$361.00		
431-0118-098-00	\$361.00	431-0118-154-00	\$361.00	431-0118-217-00	\$361.00	<b>Total</b>	
431-0118-099-00	\$361.00	431-0118-155-00	\$361.00	431-0118-218-00	\$361.00	<b>Assessment:</b>	<b>\$216,239.00</b>
431-0118-088-00	\$361.00	431-0118-156-00	\$361.00	431-0118-219-00	\$361.00		
431-0118-089-00	\$361.00	431-0118-158-00	\$361.00	431-0118-221-00	\$361.00		
431-0118-090-00	\$361.00	431-0118-159-00	\$361.00	431-0118-222-00	\$361.00		
431-0118-091-00	\$361.00	431-0118-160-00	\$361.00	431-0118-223-00	\$361.00		
431-0118-092-00	\$361.00	431-0118-161-00	\$361.00	431-0118-224-00	\$361.00		
431-0118-093-00	\$361.00	431-0118-162-00	\$361.00	431-0118-226-00	\$361.00		
431-0118-101-00	\$361.00	431-0118-164-00	\$361.00	431-0118-227-00	\$361.00		
431-0118-102-00	\$361.00	431-0118-165-00	\$361.00	431-0118-228-00	\$361.00		
431-0118-103-00	\$361.00	431-0118-166-00	\$361.00	431-0118-229-00	\$361.00		
431-0118-104-00	\$361.00	431-0118-167-00	\$361.00	431-0118-230-00	\$361.00		
431-0118-105-00	\$361.00	431-0118-168-00	\$361.00	431-0118-231-00	\$361.00		
431-0118-106-00	\$361.00	431-0118-170-00	\$361.00	431-0118-233-00	\$361.00		
431-0118-108-00	\$361.00	431-0118-171-00	\$361.00	431-0118-234-00	\$361.00		
431-0118-109-00	\$361.00	431-0118-172-00	\$361.00	431-0118-235-00	\$361.00		
431-0118-110-00	\$361.00	431-0118-173-00	\$361.00	431-0118-236-00	\$361.00		
431-0118-111-00	\$361.00	431-0118-175-00	\$361.00	431-0118-238-00	\$361.00		
431-0118-113-00	\$361.00	431-0118-176-00	\$361.00	431-0118-239-00	\$361.00		
431-0118-114-00	\$361.00	431-0118-177-00	\$361.00	431-0118-240-00	\$361.00		
431-0118-115-00	\$361.00	431-0118-178-00	\$361.00	431-0118-241-00	\$361.00		
431-0118-116-00	\$361.00	431-0118-180-00	\$361.00	431-0112-121-00	\$361.00		

LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1  
HUNTWOOD AVENUE AND PANJON STREET (LLD #1)

ENGINEER'S COST ESTIMATE  
FISCAL YEAR 1991-1992

Maintenance

(a)	Irrigation water	<u>\$1,270.00</u>
(b)	Electric energy	<u>\$ 150.00</u>
(c)	Landscape Maintenance (eg. debris removal, weeding, trimming spraying, irrigation, etc.)	<u>\$3,600.00</u>
(d)	Masonry wall	<u>\$1,200.00</u>

\$6,220.00

Contingencies for maintenance (@25%)

\$1,555.00

\$7,775.00

Incidentals

(a)	Cost of collection (County)	<u>\$ 400.00</u>
(b)	Administration (City)	<u>\$ 700.00</u>

\$1,100.00

Total

\$8,875.00

LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 2  
HARDER ROAD AND MOCINE AVENUE (LLD #2)

ENGINEER'S COST ESTIMATE  
FISCAL YEAR 1991-1992

Maintenance

(a) Irrigation water	<u>\$2,470.00</u>
(b) Electric energy	<u>\$ 150.00</u>
(c) Landscape Maintenance (eg. debris removal, weeding, trimming spraying, irrigation, etc.)	<u>\$6,480.00</u>
(d) Masonry wall	<u>\$2,210.00</u>
	<u>\$11,310.00</u>

Contingencies for maintenance (@25%) \$ 2,828.00

\$14,138.00

Incidentals

(a) Administration (City)	<u>\$ 700.00</u>
(b) Engineers report, preparation of documents, report, printing and advertising, for the 1992-93 fiscal year	<u>\$1,600.00</u>
	<u>\$2,300.00</u>

Total \$16,438.00

**LLD NO. 4 (PACHECO WAY, STRATFORD ROAD, RUUS LANE, WARD CREEK) - 1995-96**

**LANDSCAPING AND LIGHTING  
ASSESSMENT DISTRICT NO. 4 (LLD No. 4)  
PACHECO WAY, STRATFORD ROAD, RUUS LANE, WARD CREEK**

**ENGINEER'S COST ESTIMATE  
FISCAL YEAR 1995-96**

**MAINTENANCE**

(a) Irrigation water (3 meters)	\$1,700.00	
(b) Electrical energy (5 controllers)	\$360.00	
(c) Landscaping medians and parkways (eg. debris removal, weeding, trimming spraying, irrigation, etc. for 30,000 sq.ft.)	\$6,000.00	
(d) Masonry wall (surface maintenance)	\$1,000.00	
(e) Nine drainage inlets (cleanout)	\$700.00	
(f) Asphalt pathway	\$1,000.00	
(g) 6 inch PVC drainpipe	\$200.00	
(h) Pedestrian access between Rosecliff Lane and Ward Creek pathway	\$300.00	
(i) Entry gate structure, two swing gates	\$750.00	
	<b>Subtotal</b>	\$12,010.00
(j) Contingencies for maintenance @ 25%	\$3,010.00	
	<b>Total Maintenance Cost</b>	\$15,020.00

**INCIDENTALS**

(a) Administration (City)	\$940.00	
(b) Preparation of documents, notice and advertising, for the 1996-97 fiscal year	\$2,000.00	
(c) Reserve fund for replacement of capital assets calculated at 10% of annual Total Maintenance Cost (see pg. 3 for description)	\$1,500.00	
(d) Reserve fund for extraordinary repairs calculated at 12% of annual Total Maintenance Cost (see pg. 3 for description)	\$1,750.00	
(e) County charges for collection (@ 1.7% of asmt.)	\$450.00	
	<b>Total Incidental Costs</b>	\$6,640.00
(f) Cash flow fund to cover expenditures (7/1/95-1/1/96) until 1st installment is received from County (calculated at 33% of Total Maintenance Cost)	\$4,980.00	
	<b>Total Incidentals and Revolving Fund Cost</b>	\$11,620.00
	<b>Total Maintenance &amp; Incidentals</b>	\$26,640.00

**SURPLUS FUNDS**

(a) July 30, 1995 Fund Balance	\$0.00	
	<b>Less Total Surplus</b>	\$0.00

**ASSESSMENT CALCULATION**

(a) Total to be assessed for FY 1995-96	\$26,640.00
(b) Payments using surplus funds	\$0.00
(c) Assessments to be collected from property owners	\$26,640.00
(d) Assessment per parcel: \$26,640.00/148 =	\$180.00

**LLD NO. 5 (SOTO ROAD AND PLUM TREE STREET) - 1995-96**

**LANDSCAPING AND LIGHTING  
ASSESSMENT DISTRICT NO. 5 (LLD NO. 5)  
SOTO ROAD AND PLUM TREE STREET**

**ENGINEER'S COST ESTIMATE  
FISCAL YEAR 1995-96**

**\*MAINTENANCE**

(a) Irrigation water/	\$250.00
(b) Electrical energy	\$200.00
(c) Landscaping (eg. debris removal, weeding, trimming, spraying, irrigation, etc. @ \$155/mo. x 12 mos)	\$1,860.00
(d) Masonry wall (surface maintenance only)	\$300.00
	<b>Subtotal</b>
	\$2,610.00
(e) Contingencies for maintenance	\$650.00

<b>*Total Maintenance Cost</b>	\$3,260.00	\$ 0.00
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**INCIDENTALS**

(a) Administration (City)	\$740.00
(b) Reserve fund for extraordinary repairs calculated at 15% of annual Total Maintenance Cost (see pg. 2 for description)	\$ 0.00
(c) Cash flow fund to cover maintenance cost expenditures from 7/1/96 to 1/1/97 until 1st installment is received from County (calculated at 33% of estimated Total Maintenance Cost)	\$1,075.00
(d) Preparation of documents, notice and advertising for the 1996-97 fiscal year	\$2,000.00
(e) County charges for collection (estimated)	\$65.00

<b>Total Incidentals Cost</b>	\$3,880.00
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<b>Total Maintenance &amp; Incidentals Assessment to be Levied</b>	\$3,880.00
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**SURPLUS FUNDS**

(a) July 30, 1995 Fund Balance	\$0.00
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<b>Less Total Surplus</b>	\$0.00
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**ASSESSMENT CALCULATION**

(a) Total budget for FY 1995-96	\$3,880.00
(b) Payments using surplus funds	\$0.00
(c) Assessments to be collected from property owners in FY 1995-96	\$3,880.00
(d) Assessment per parcel: \$3,880/15 =	\$258.67

<sup>1</sup>These items are only for future reference purposes, as the subdivider is responsible for maintenance during the 1995-96 fiscal year, no charges for those items are levied for that fiscal year.

**DATE:** May 19, 2015

**TO:** Mayor and City Council

**FROM:** Development Services Director

**SUBJECT:** Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2016; Reconfirm Maximum Annual Assessment Amount for Maintenance District No. 1 – Storm Drainage Pumping Station and Storm Drain Conduit Located at Pacheco Way, Stratford Road and Ruus Lane; and Set July 7, 2015, as the Public Hearing Date for Such Actions

#### **RECOMMENDATION**

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

#### **BACKGROUND**

The annual Engineer's Report (Report) for Maintenance District No. 1 is presented to the City Council in compliance with Section 10-10.25 of the Hayward Municipal Code. The Report is attached (Attachment II) and includes the recommended amount of assessment to be levied against each property for Fiscal Year 2016.

Maintenance District No. 1 (the "District") was formed in June 1995 to fund the operation and maintenance of a storm drain pumping station that serves the Stratford Village development near Stratford Road and Ruus Lane. The District includes four tracts totaling 174 residential homes and one park site.

A 1995 agreement between the City and the Alameda County Flood Control and Water Conservation District (Flood Control District) vests responsibility for the maintenance and operation of the storm drain pumping station with the Flood Control District. The 1995 agreement states that the Flood Control District concurred with the transfer of the pump station, subject to the District providing the Flood Control District with sufficient funds to operate, maintain, and provide for capital equipment replacement and modifications that may become necessary for the optimal performance of the pump station. The Flood Control District, based on its experience as operator, provides an annual estimate of operation costs. Such cost estimates for FY 2016 are included in the attached Report.

## **DISCUSSION**

In previous fiscal years, it was thought that the maximum annual assessment rate was \$171.60 per parcel. However, after review of District formation documents, City staff noticed that the FY 1996 formation budget showed that the maximum assessment was calculated at \$243.92 per parcel (\$42,686.37 divided by 175 parcels) (see Attachment III). After consultation with the City Attorney, staff determined that the maximum assessment should be clarified and adjusted from \$171.60 per parcel to \$243.92 per parcel. City staff reviewed prior District documents dating back to 1995 and could not find any information on how the incorrect maximum assessment rate of \$171.60 per parcel was calculated. This maximum annual assessment rate of \$243.92 per parcel does not have an allowance for future increases based upon the annual change in the Consumer Price Index. Therefore, the maximum assessment revenue that can be generated from the parcels within the District is \$42,686 per year.

The estimated budget for Fiscal Year 2016 is approximately \$42,686, which includes \$5,500 to be placed into the capital reserve fund. Based on the estimated operating and capital reserve costs, the collection rate recommended to cover the Fiscal Year 2016 expenses would be at the maximum rate of \$243.92 per parcel. Therefore, the proposed Fiscal Year 2016 assessment is at the maximum base assessment of \$243.92 per parcel.

*Proposition 218 Compliance* – The formation of Maintenance District No. 1 pre-dates the enactment of Prop. 218 and is considered an exempt assessment pursuant to Government Code §53753.5. Exempt assessments must comply with the requirements of Prop. 218 only if the assessment methodology is changed to increase the assessment or the amount of the assessment is proposed to exceed a previously adopted assessment formula or range of assessments. The proposed FY 2016 assessment rate is \$243.92 per parcel, which is at the maximum annual assessment rate established when the District was formed in 1995. Therefore, the proposed FY 2016 assessment is in compliance with the provisions of Proposition 218 because it does not exceed the originally established maximum assessment formula. Since the proposed FY2016 assessment is at the maximum assessment rate, the noticing and balloting requirements of Proposition 218 are not required.

## **FISCAL IMPACT**

There is no fiscal impact to the City's General Fund for this recommendation, because the present expenditures are to be paid for by District funds. Staff has evaluated the operating and capital reserve fund balances and asserts that they would be adequate for Fiscal Year 2016. However, if assessment amounts are never increased to cover ongoing costs, other sources of funding will need to be secured at some point in the future, such as from the LLD zone 4 funds, as has been done in the past. Alternatively, the level of maintenance and services would need to be reduced.

## **PUBLIC CONTACT**

Before the City Council public hearing on July 7, 2015, notices will be published once in *The Daily Review* newspaper and sent to all affected property owners about the hearing. A public meeting has been scheduled for June 10, 2015 for the property owners within the District. At that meeting, staff

will be available to explain the District's responsibilities, proposed increase in the maximum assessment and funding, and property owners will be given the opportunity to ask questions regarding assessments and services. The property owners may also raise concerns about assessments during the July 7, 2015 Council hearing.

## **NEXT STEPS**

If the City Council adopts the attached resolution of intention, staff will schedule the noticed public hearing on July 7, 2015, for the City Council to consider approving the Engineer's Report and ordering the levy of assessments for Fiscal Year 2016.

*Prepared by:* Joe Francisco, P.E., Consultant

*Recommended by:* David Rizk, AICP, Development Services Director

Approved by:



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Fran David, City Manager

### Attachments:

- Attachment I Resolution
- Attachment II Preliminary Engineer's Report
- Attachment III District Formation Budget

HAYWARD CITY COUNCIL

RESOLUTION NO. 15-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION OF INTENTION PRELIMINARILY APPROVING THE ENGINEER'S REPORT; DECLARING INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 2016; AND SETTING JULY 7, 2015, AS THE PUBLIC HEARING DATE CONCERNING MAINTENANCE DISTRICT NO. 1 - STORM DRAINAGE PUMPING STATION AND STORM DRAIN CONDUIT - PACHECO WAY, STRATFORD ROAD, AND RUUS LANE

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

1. Maintenance District No. 1- Storm Drainage Pumping Station and Storm Drain Conduit – Pacheco Way, Stratford Road, and Ruus Lane (the District) was established by the adoption of Resolution No. 95-103 to provide funds to operate, maintain, and service a storm drainage pumping station and storm drain conduit constructed to provide a means of handling storm water runoff for Tracts 6472, 6560, 6682, and 6683. The District consists of properties as shown on the Assessment Roll on file in the Office of the Hayward City Clerk.
2. The Engineer of Work has prepared a report in accordance with Section 10-10.25 of the Hayward Municipal Code. Said report has been made, filed, and duly considered by this City Council and is hereby deemed sufficient and preliminarily approved. Said report shall stand as the report for all subsequent proceedings relating to the proposed levy of the District assessments for Fiscal Year 2016.
3. It is the intention of the City Council to order the levy and collection of assessments for the maintenance of the storm drainage pumping station and storm drain conduit pursuant to Part 3, Chapter 26 of Division 7 of the California Streets and Highways Code (commencing with section 5820 thereof).
4. The maximum base assessment amount is clarified to be \$243.92 per parcel based upon a review of the original zone formation budget which resulted in a maximum base assessment amount of \$243.92 per parcel, not \$171.60 per parcel as previously thought.
5. The proposed assessment for Fiscal Year 2016 is \$243.92, an increase of \$72.32 over the previous fiscal year's assessment, but at the maximum base assessment amount of \$243.92.

6. Reference is hereby made to the aforementioned report on file with the City Clerk for a full and detailed description of the improvements, the boundaries of the proposed District, and the proposed assessments upon assessable lots within said District. Public property owned by any public agency and in use in the performance of a public function within said District shall not be assessed, except for Stratford Park, owned by the City of Hayward, which is the only publicly owned property which will receive a special benefit from the maintenance of the pumping station and storm drains financed by the District.
  
7. On July 7, 2015, at the hour of 7:00 p.m., in the regular meeting place of this City Council, City Council Chambers, 777 B Street, Hayward, California, a public hearing will be held on the levy of the proposed assessment. Prior to the conclusion of said public hearing, any interested person may file a written protest with the City Clerk, or having previously filed a protest, may file a written withdrawal of that protest. A written protest by a property owner shall contain a description sufficient to identify the property owned by such owner.
  
8. The City Clerk is hereby directed to cause a notice of said meeting and hearing to be made in the form and manner provided by applicable laws.

IN COUNCIL, HAYWARD, CALIFORNIA, May 19, 2015

ADOPTED BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:
	MAYOR:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
 City Attorney of the City of Hayward

PRELIMINARY ENGINEER'S REPORT

CITY OF HAYWARD  
MAINTENANCE DISTRICT No. 1

Fiscal Year 2016



May 19, 2015

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	Page No.
Agency Directory .....	3
Certificates .....	4
Section I - Introduction .....	5
Section II - Report .....	8
Part A - Plans and Specifications .....	9
Part B - Estimate of Cost .....	10
Table 1: Cost Estimate .....	11
Part C - Maintenance Assessment District Diagram .....	12
Part D - Method of Apportionment of Assessment .....	13
Part E - Property Owner List & Assessment Roll .....	14
 Appendix A - Vicinity Map	
 Appendix B - Assessment Diagram	
 Appendix C - Fiscal Year 2016 Assessment Roll	

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Director of Public Works – Engineering and Transportation

Joseph A. Francisco, P.E.  
Engineer of Work

CITY OF HAYWARD  
MAINTENANCE DISTRICT No. 1  
FISCAL YEAR 2014

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

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Joseph A. Francisco, P.E.  
RCE No. 40688

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 \_\_\_\_\_, 2015.

Miriam Lens  
City Clerk, City of Hayward

By: \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Hayward, Alameda County, California, on the \_\_\_\_ day of \_\_\_\_\_, 2015.

Miriam Lens  
City Clerk, City of Hayward

By: \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was filed with the County Auditor of the County of Alameda, on the \_\_\_\_ day of \_\_\_\_\_, 2015.

By: \_\_\_\_\_

Joseph A. Francisco, P.E.  
RCE No. 40688

SECTION I

INTRODUCTION  
ENGINEER'S REPORT

CITY OF HAYWARD  
MAINTENANCE DISTRICT NO. 1

FISCAL YEAR 2016

**Background Information**

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

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

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

On June 6, 1995, by Resolution No. 95-103, the City Council ordered the formation of Maintenance District No. 1 to provide for the operation and maintenance of the storm drainage improvements and the stormwater pumping facility to facilitate the drainage basin. The FY 1996 Final Engineer's Report (formation report) included a FY 1996 budget which proposed \$42,686.37 in expenditures which equated to \$243.92/parcel (175 assessable parcels). This maximum annual assessment rate may not be increased each fiscal year by the prior year's change in the Consumer Price Index.

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

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

Each year the City will be evaluating the need to increase assessments to ensure there are adequate funds to continue to provide proper operation, maintenance and capital replacement of the storm water pumping facilities within Maintenance District No. 1. As part of this effort the County of Alameda updated their

capital replacement study to determine if the Maintenance District No. 1 is adequately funded. Currently there are sufficient funds to replace the Maintenance District No. 1 capital facilities when they reach the end of their useful lives.

*Proposition 218 Compliance*

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

Proposition 218 stated that any existing assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems, or vector control on or before November 6, 1996 shall be exempt from the procedures and approval process of Proposition 218, unless the assessments are increased. Maintenance District No. 1 imposes an assessment exclusively for flood control and drainage improvements.

Proposition 218 defines increased, when applied to an assessment, as a decision by an agency that does either of the following:

- a) Increases any applicable rate used to calculate the assessment.
- b) Revises the methodology by which the assessment is calculated, if that revision results in an increased amount being levied on any person or parcel

For Fiscal Year 2016, the collection rate is proposed to be increased from \$171.60 per parcel to \$243.92 per parcel. This FY 2016 collection rate is at the maximum allowable assessment rate of \$243.92 per parcel.

Based upon the review of the formation documents by the City Attorney, since the formation budgeted assessment rate was set at \$243.92 per assessable parcel and the proposed FY 2016 assessment rate will be at the budgeted formation rate of \$243.92 per assessable parcel the proposed FY 2016 assessment rate is not considered an increase and does not require Proposition 218 proceedings.

*Current Annual Administration*

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

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

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

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

The City of Hayward will hold a public hearing on July 7, 2015, to provide an opportunity for any interested person to be heard. At the conclusion of the public hearing, the City Council may adopt a resolution confirming the levy of assessments as originally proposed or as modified. Following the adoption of this resolution, the final Assessor's Roll will be prepared and filed with the County Auditor's office to be included on the Fiscal Year 2016 tax roll.

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

**SECTION II**

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

**CITY OF HAYWARD  
MAINTENANCE DISTRICT NO. 1**

**FISCAL YEAR 2016**

Pursuant to Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California, and Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code, and in accordance with the Resolution of Intention, being Resolution No. 15-\_\_\_, Preliminarily Approving the Engineer's Report, on May 19, 2015 by the City Council of the City of Hayward, County of Alameda, State of California, in connection with the proceedings for:

**CITY OF HAYWARD  
MAINTENANCE DISTRICT No. 1**

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

**PART A: PLANS AND SPECIFICATIONS**

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

**PART B: ESTIMATE OF COST**

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

**PART C: MAINTENANCE ASSESSMENT DISTRICT DIAGRAM**

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

**PART D: METHOD OF APPORTIONMENT OF ASSESSMENT**

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

**PART E: PROPERTY OWNER LIST & ASSESSMENT ROLL**

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

PART A

PLANS AND SPECIFICATIONS

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

DESCRIPTION OF IMPROVEMENTS

CITY OF HAYWARD  
MAINTENANCE DISTRICT No. 1

FISCAL YEAR 2016

The following improvements are proposed to be operated, maintained and serviced in Maintenance District No. 1 for Fiscal Year 2016:

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

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

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

For Fiscal Year 2016, the collection rate will be increased from \$171.60 per parcel to \$243.92 per parcel. This amount is at the maximum base assessment, and is not indexed to the Consumer Price Index each fiscal year. Any future increases in the assessment rate would require noticing and balloting of property owners per the requirements of Proposition 218.

PART B

ESTIMATE OF COST

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

The costs for Fiscal Year 2016 are summarized in Table No. 1 on the following page. These cost estimates are based on Alameda County budget projections for Fiscal Year 2016. In addition, the budget table shows costs owed to Alameda County for the prior fiscal years. This is due to the fact that the City changed accounting systems and the prior fiscal year payments were not processed.

TABLE I: COST ESTIMATE FISCAL YEAR 2016	
Fund 270 - Maintenance District No. 1	
	Fiscal Year 2016 Budget
Number of Assessable Parcels	175
Beginning Balance of Fiscal Year (July 1, 2015) - City Funds	\$ 0.00
Beginning Balance of Fiscal Year (July 1, 2015) - County Capital Replacement Fund	<u>\$64,929.82</u>
Total Beginning Fund Balance	\$64,929.82
<u>REVENUE</u>	
Annual Assessment Fee (175 Assessable Parcels)	\$ 42,686.00
County Collection Fee (1.7%)	(\$ 725.66)
Total Net Revenue	\$ 41,960.34
Total Available	<u>\$106,890.16</u>
<u>EXPENDITURE</u>	
<u>I. MAINTENANCE &amp; UTILITY</u>	
<u>I. Maintenance &amp; Utility</u>	
(a) Utilities: Irrigation water and electrical energy	\$ 1,550.00
Subtotal I:	<u>\$1,550.00</u>
<u>II. Supplies &amp; Services</u>	
(a) Special Services	\$ 3,213.00
(b) Alameda County Flood Control District - Operation & Maintenance <sup>(1)</sup>	\$ 28,493.00
(c) Alameda County Flood Control District - Capital Reserves <sup>(1)</sup>	\$ 5,500.00
(d) Supplies: printing, postage and publishing	\$ 580.00
Subtotal II:	<u>\$37,786.00</u>
<u>III. Administrative Services</u>	
(a) Administration	\$ 3,946.00
Subtotal III:	<u>\$3,946.00</u>
<u>Total Expense (Sum of I, II and III)</u>	<u>\$43,282.00</u>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$63,608.16</u>
Change in Reserve Fund Balance	<u>(\$1,321.66)</u>
<u>RESERVE DETAIL</u>	
Required Operating Reserves <sup>(2)</sup>	\$ 0.00
Available Capital Reserves <sup>(3)</sup>	\$ 69,108.16
Subtotal:	<u>\$69,108.16</u>
Assessment Amount per Parcel	\$243.92
Maximum Base Assessment Amount per Parcel	\$243.92
<u>NOTES:</u>	
(1) These items reflect the FY2016 budget as proposed by the Alameda County Flood Control District. County Flood Control District which has not been paid.	
(2) The City does not need to maintain an operating reserve because of the agreement between the City and County. The City receives assessment revenue in December and April of each year. The County subsequently invoices the City in March and June of each year. Therefore the City's goal is to maintain a minimal positive balance in the operating reserve fund. As in previous years the City has the ability to reduce contributions to the County's Operating or Capital Reserve Fund to offset the City's operating reserve shortfall.	
(3) Reflects the amount of capital reserves funds projected in the Alameda County Flood Control District on July 1, 2016	

PART C

MAINTENANCE ASSESSMENT DISTRICT DIAGRAM

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

A detailed description of the lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Alameda for Fiscal Year 2016.

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

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

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

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

The land uses within Maintenance District No. 1 consist of 174 residential parcels and one park parcel. These parcels receive a special benefit in that the pumping station and the storm drains protect the residential parcels and park parcel from storm water flooding. Even though there are only minor structures located on the park parcel it does receive special benefit from flood control improvements and services.

It is estimated that all residential and park parcels derive similar benefits from the flood control improvements and services, therefore the method for spreading the annual costs is on a per parcel basis.

The projected Fiscal Year 2016 operation, maintenance and capital replacement costs are estimated to be \$42,686.00. Therefore the collection rate for Fiscal Year 2016 will be at the maximum base assessment of \$243.92 per parcel.

PART E

PROPERTY OWNER LIST & ASSESSMENT ROLL

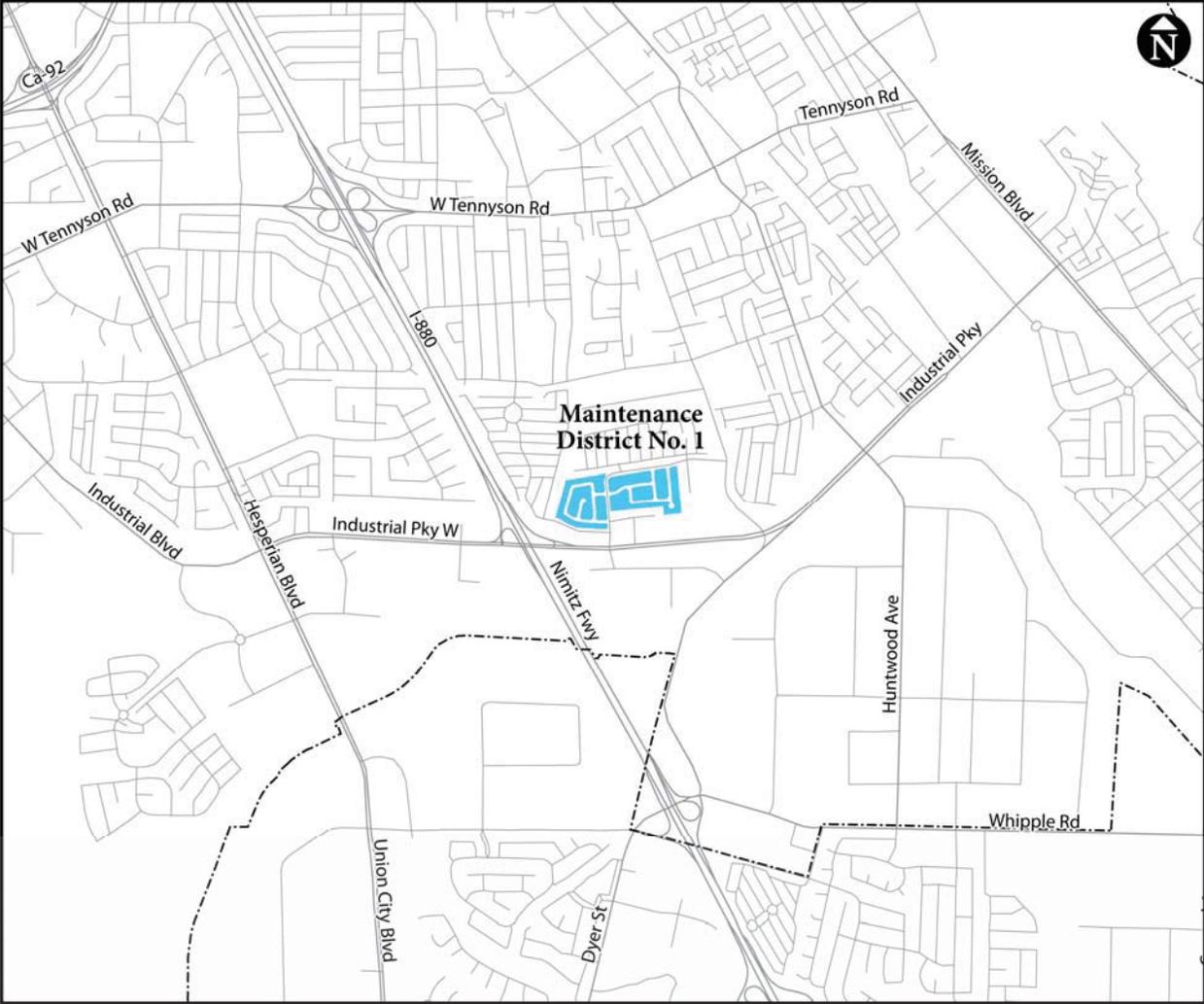
A list of names and addresses of the owners of all parcels within the City of Hayward's Maintenance District No. 1 is shown on the last equalized Property Tax Roll of the Assessor of the County of Alameda, which is hereby made a part of this report. This list is keyed to the Assessor's Parcel Numbers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

The proposed collection rate and the amount for Fiscal Year 2016 apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office, are on file in the Office of the City Clerk. The description of each lot or parcel is part of the records of the Assessor of the County of Alameda and these records are, by reference, made a part of this report.

The total assessment amount proposed to be collected for Fiscal Year 2016 is \$42,686.00.

The Assessment Roll for Fiscal Year 2016 is included in Appendix "C" of this Report and is on file in the Office of the Hayward City Clerk.

APPENDIX A  
VICINITY MAP



APPENDIX B  
ASSESSMENT DIAGRAM

# ASSESSMENT DIAGRAM MAINTENANCE DISTRICT No. 1

CITY OF HAYWARD  
COUNTY OF ALAMEDA  
STATE OF CALIFORNIA

NOT TO SCALE



### LEGEND

- NEW PARCEL BOUNDARIES
- ASSESSMENT DISTRICT BOUNDARIES

APPENDIX C

FISCAL YEAR 2016  
ASSESSMENT ROLL

City of Hayward  
Maintenance District No. 1

PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
464-0121-001-00	\$243.92	464-0121-057-00	\$243.92	464-0122-013-00	\$243.92
464-0121-002-00	\$243.92	464-0121-058-00	\$243.92	464-0122-014-00	\$243.92
464-0121-003-00	\$243.92	464-0121-059-00	\$243.92	464-0122-015-00	\$243.92
464-0121-004-00	\$243.92	464-0121-060-00	\$243.92	464-0122-016-00	\$243.92
464-0121-005-00	\$243.92	464-0121-061-00	\$243.92	464-0122-017-00	\$243.92
464-0121-006-00	\$243.92	464-0121-062-00	\$243.92	464-0122-018-00	\$243.92
464-0121-007-00	\$243.92	464-0121-063-00	\$243.92	464-0122-019-00	\$243.92
464-0121-008-00	\$243.92	464-0121-064-00	\$243.92	464-0122-020-00	\$243.92
464-0121-009-00	\$243.92	464-0121-065-00	\$243.92	464-0122-021-00	\$243.92
464-0121-010-00	\$243.92	464-0121-066-00	\$243.92	464-0122-022-00	\$243.92
464-0121-011-00	\$243.92	464-0121-067-00	\$243.92	464-0122-023-00	\$243.92
464-0121-012-00	\$243.92	464-0121-068-00	\$243.92	464-0122-024-00	\$243.92
464-0121-013-00	\$243.92	464-0121-069-00	\$243.92	464-0122-025-00	\$243.92
464-0121-014-00	\$243.92	464-0121-070-00	\$243.92	464-0122-026-00	\$243.92
464-0121-015-00	\$243.92	464-0121-071-00	\$243.92	464-0122-027-00	\$243.92
464-0121-016-00	\$243.92	464-0121-072-00	\$243.92	464-0122-028-00	\$243.92
464-0121-017-00	\$243.92	464-0121-073-00	\$243.92	464-0122-029-00	\$243.92
464-0121-018-00	\$243.92	464-0121-074-00	\$243.92	464-0122-030-00	\$243.92
464-0121-019-00	\$243.92	464-0121-075-00	\$243.92	464-0122-031-00	\$243.92
464-0121-020-00	\$243.92	464-0121-076-00	\$243.92	464-0122-032-00	\$243.92
464-0121-021-00	\$243.92	464-0121-077-00	\$243.92	464-0122-033-00	\$243.92
464-0121-022-00	\$243.92	464-0121-078-00	\$243.92	464-0122-034-00	\$243.92
464-0121-023-00	\$243.92	464-0121-080-00	\$243.92	464-0122-035-00	\$243.92
464-0121-024-00	\$243.92	464-0121-081-00	\$243.92	464-0122-036-00	\$243.92
464-0121-025-00	\$243.92	464-0121-082-00	\$243.92	464-0122-037-00	\$243.92
464-0121-026-00	\$243.92	464-0121-083-00	\$243.92	464-0122-038-00	\$243.92
464-0121-027-00	\$243.92	464-0121-084-00	\$243.92	464-0122-039-00	\$243.92
464-0121-028-00	\$243.92	464-0121-085-00	\$243.92	464-0122-040-00	\$243.92
464-0121-029-00	\$243.92	464-0121-086-00	\$243.92	464-0122-041-00	\$243.92
464-0121-030-00	\$243.92	464-0121-087-00	\$243.92	464-0122-042-00	\$243.92
464-0121-031-00	\$243.92	464-0121-088-00	\$243.92	464-0122-043-00	\$243.92
464-0121-032-00	\$243.92	464-0121-089-00	\$243.92	464-0122-044-00	\$243.92
464-0121-033-00	\$243.92	464-0121-090-00	\$243.92	464-0122-045-00	\$243.92
464-0121-034-00	\$243.92	464-0121-091-00	\$243.92	464-0122-046-00	\$243.92
464-0121-035-00	\$243.92	464-0121-092-00	\$243.92	464-0122-047-00	\$243.92
464-0121-036-00	\$243.92	464-0121-093-00	\$243.92	464-0122-048-00	\$243.92
464-0121-037-00	\$243.92	464-0121-094-00	\$243.92	464-0122-049-00	\$243.92
464-0121-038-00	\$243.92	464-0121-095-00	\$243.92	464-0122-050-00	\$243.92
464-0121-039-00	\$243.92	464-0121-096-00	\$243.92	464-0122-051-00	\$243.92
464-0121-040-00	\$243.92	464-0122-001-00	\$243.92	464-0122-052-00	\$243.92
464-0121-041-00	\$243.92	464-0122-003-00	\$243.92	464-0122-053-00	\$243.92
464-0121-042-00	\$243.92	464-0122-004-00	\$243.92	464-0122-054-00	\$243.92
464-0121-049-00	\$243.92	464-0122-005-00	\$243.92	464-0122-055-00	\$243.92
464-0121-050-00	\$243.92	464-0122-006-00	\$243.92	464-0122-056-00	\$243.92
464-0121-051-00	\$243.92	464-0122-007-00	\$243.92	464-0122-057-00	\$243.92
464-0121-052-00	\$243.92	464-0122-008-00	\$243.92	464-0122-058-00	\$243.92
464-0121-053-00	\$243.92	464-0122-009-00	\$243.92	464-0122-059-00	\$243.92
464-0121-054-00	\$243.92	464-0122-010-00	\$243.92	464-0122-060-00	\$243.92
464-0121-055-00	\$243.92	464-0122-011-00	\$243.92	464-0122-061-00	\$243.92
464-0121-056-00	\$243.92	464-0122-012-00	\$243.92	464-0122-062-00	\$243.92

City of Hayward  
Maintenance District No. 1

PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount
464-0122-063-00	\$243.92
464-0122-064-00	\$243.92
464-0122-065-00	\$243.92
464-0122-066-00	\$243.92
464-0122-067-00	\$243.92
464-0122-068-00	\$243.92
464-0122-069-00	\$243.92
464-0122-070-00	\$243.92
464-0122-071-00	\$243.92
464-0122-072-00	\$243.92
464-0122-073-00	\$243.92
464-0122-074-00	\$243.92
464-0122-075-00	\$243.92
464-0122-076-00	\$243.92
464-0122-077-00	\$243.92
464-0122-078-00	\$243.92
464-0122-079-00	\$243.92
464-0122-080-00	\$243.92
464-0122-081-00	\$243.92
464-0122-082-00	\$243.92
464-0122-083-00	\$243.92
464-0122-084-00	\$243.92
464-0122-085-00	\$243.92
464-0122-086-00	\$243.92
464-0122-087-00	\$243.92
<b>Total Parcels:</b>	<b>175</b>
<b>Total Assessment:</b>	<b>\$42,686.00</b>

**MAINTENANCE DISTRICT NO. 1 (MD NO. 1)  
PACHECO WAY, STRATFORD ROAD, RUUS LANE, WARD CREEK**

**ENGINEER'S COST ESTIMATE  
FISCAL YEAR 1995-96**

**MAINTENANCE**

(a)	Storm Water Lift Station (SWLS), outfall structure and associated pipes and appurtenances	\$16,000.00	
(b)	Electrical energy	\$2,500.00	
	<b>Subtotal</b>	<b>\$18,500.00</b>	
(c)	Contingencies for maintenance @ 20%	\$3,700.00	
	<b>Total Maintenance Cost</b>	<b>\$22,200.00</b>	

**INCIDENTALS**

(a)	Administration (City)	\$750.00	
(b)	Preparation of documents, notice and advertising for the 1996-97 fiscal year	\$2,000.00	
(c)	Reserve fund for long term replacement of capital assets (see pg. 3 for description)	\$7,500.00	
(d)	County charges for collection (@ 1.7% of asmt. \$22,686.37)	\$385.67	
	<b>Total Incidentals Cost</b>	<b>\$10,635.67</b>	
(e)	Cash flow fund to cover expenditures (7/1/96-1/1/97) until 1st installment is received from County (calculated at 30% of Total Maint. Cost)		\$9,850.70

**Total Maintenance, Incidentals and Cash Flow** **\$42,686.37**

**AVAILABLE FUNDS**

(a)	July 1, 1995 Fund Balance <sup>5</sup>	\$20,000.00	
	<b>Less balance</b>		<b>\$20,000.00</b>

**ASSESSMENT CALCULATION**

(a)	Total to be assessed for FY 1995-96	\$22,686.37	
(b)	Assessments to be collected from property owners	\$22,686.37	
(c)	1995-96 Assessment per lot		\$ 129.64

<sup>5</sup> Based on \$20,000 deposit from Warmington Homes

**DATE:** May 19, 2015

**TO:** Mayor and City Council

**FROM:** Development Services Director

**SUBJECT:** Adopt a Resolution of Intention to Preliminarily Approve the Engineer's Report and Levy Assessments for Fiscal Year 2016 for Maintenance District No. 2 – Eden Shores Storm Water Facilities and Water Buffer, and Set July 7, 2015, as the Public Hearing Date for such Actions

#### **RECOMMENDATION**

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

#### **BACKGROUND**

The annual Engineer's Report (Report) for Maintenance District No. 2 is presented to the City Council in compliance with Section 10-10.25 of the Hayward Municipal Code. The Report is attached (Attachment II) and includes the recommended amount of assessment to be levied against each property for Fiscal Year 2016.

Maintenance District No. 2 (the "District") was formed in June 2003 to fund the operation and maintenance of a pre-treatment stormwater pond, the water buffer zone bordering the residential portion of Eden Shores, the pedestrian bridge crossing the water buffer channel, perimeter fencing adjacent to the water buffer channel, and miscellaneous landscaping adjacent to the water buffer channel. The District includes three residential tracts in Eden Shores, totaling 534 homes. The funds collected from the property owners within the District pay for annual operations and maintenance and to establish capital reserve funds, which would be utilized to repair or replace sections of fencing, pumps, or bridge components in the future. The District assumed full maintenance responsibility of the improvements at the beginning of Fiscal Year 2009.

A 2010 agreement between the City and the Alameda County Flood Control and Water Conservation District (Flood Control District) vests responsibility for the annual maintenance and operation of the pre-treatment stormwater pond with the Flood Control District. The 2010 agreement states that the Flood Control District concurred with the acceptance of the pond, subject to the District providing the Flood Control District with sufficient funds to operate, maintain, and provide for capital replacement and modifications that may become necessary for the optimal performance of the pond.

## **DISCUSSION**

The estimated budget for Fiscal Year 2016 is approximately \$115,012, which includes \$11,000 for pump replacement and any major repairs beyond normal operation activities. Based on these estimated operating costs, the collection rate needed to cover the Fiscal Year 2016 operating expenses would be approximately \$215.38 per parcel. However, the collection rate is proposed to only be increased 10 percent, from \$157.30 to \$173.00 per parcel, because there remain sufficient funds in the reserves. In future fiscal years, staff anticipates that the rates will continue to be increased a minimum of 10 percent per year until annual revenues equal expenditures. The proposed Fiscal Year 2016 assessment is below the maximum base assessment of \$851.10.

*Proposition 218 Compliance* - The increase in the assessment rate that can be levied in Fiscal Year 2016 is in compliance with the provisions of Proposition 218 because the assessment does not exceed the previously approved maximum base assessment formula. The proposed Fiscal Year 2016 assessment of \$173.00 is below the maximum base assessment of \$851.10. In future years, the annual assessment amount may be increased up to the maximum base assessment amount, which would not require the noticing and balloting of property owners pursuant to the requirements of Proposition 218.

## **FISCAL IMPACT**

There is no fiscal impact to the City's General Fund for this recommendation, because the present expenditures are to be paid for by District funds. Staff has evaluated the operating and capital reserve fund balances and asserts that they would be adequate for Fiscal Year 2016. If necessary, the annual assessment amount in Fiscal Year 2017 could be increased to bring the capital reserve fund balance to a higher level.

## **PUBLIC CONTACT**

Before the planned City Council public hearing on July 7, 2015, notices of that hearing will be published once *in The Daily Review* newspaper and sent to all affected property owners. A public meeting has been scheduled for June 10, 2015 for the property owners within the District, who will be given the opportunity to ask questions regarding assessments and services. At that meeting, staff will be available to explain the District's responsibilities and funding, and respond to questions from the property owners.

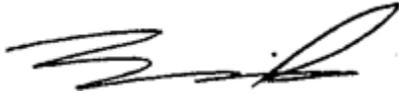
## **NEXT STEPS**

Once the City Council adopts the attached resolution, staff will schedule the noticed public hearing on July 7, 2015, for the City Council to consider approving the Engineer's Report and ordering the levy of assessments for Fiscal Year 2016.

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

*Recommended by:* David Rizk, AICP, Development Services Director

Approved by:



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Fran David, City Manager

Attachments:

Attachment I Resolution

Attachment II Preliminary Engineer's Report

HAYWARD CITY COUNCIL

RESOLUTION NO. 15-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION OF INTENTION PRELIMINARILY APPROVING  
ENGINEER'S REPORT, DECLARING INTENTION TO LEVY  
ASSESSMENTS FOR FISCAL YEAR 2016, AND SETTING JULY 7, 2015, AS  
THE PUBLIC HEARING DATE CONCERNING MAINTENANCE DISTRICT  
NO. 2 - EDEN SHORES STORM WATER FACILITIES AND WATER  
BUFFER

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

1. Maintenance District No. 2 - Eden Shores Storm Water Facilities and Water Buffer (the "District") was established by the adoption of Resolution No. 03-102 to provide funds to operate, maintain, and service a storm water facility and the water buffer bordering the residential portion of Eden Shores, which encompasses three residential tracts (7316, 7360, and 7361) in the Eden Shores development, totaling 534 homes. The District consists of the properties as shown on the Assessment Roll on file in the office of the Hayward City Clerk.
2. The Engineer of Work has prepared a report in accordance with Section 10-10.25 of the Hayward Municipal Code. Said report has been made, filed, and duly considered by this City Council and is hereby deemed sufficient and preliminarily approved. Said report shall stand as the report for all subsequent proceedings related to the proposed levy of District assessments for Fiscal Year 2016.
3. It is the intention of the City Council to order the levy and collection of assessments for the maintenance of the storm water facility and water buffer pursuant to Part 3, Chapter 26 of Division 7 of the California Streets and Highways Code (commencing with Section 5820 thereof).
4. The proposed assessment for Fiscal Year 2016 is \$173.00, an increase of \$15.70 over the previous fiscal year's assessment, but less than the maximum base assessment amount of \$851.10.
5. Reference is hereby made to the aforementioned report on file with the City Clerk for a full and detailed description of the improvements, the boundaries of the proposed District, and the proposed assessments upon assessable lots within said District.



# PRELIMINARY ENGINEER'S REPORT

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

Fiscal Year 2016



May 19, 2015

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	Page No.
Agency Directory .....	3
Certificates .....	4
Section I - Introduction .....	5
Section II - Report .....	8
Part A - Plans and Specifications .....	10
Part B - Estimate of Cost .....	11
Table I: Cost Estimate .....	12
Part C - Maintenance Assessment District Diagram .....	13
Part D - Method of Apportionment of Assessment .....	14
Part E - Property Owner List & Assessment Roll .....	15
 Appendix A - Vicinity Map	
 Appendix B - Assessment Diagram	
 Appendix C - Fiscal Year 2016 Assessment Roll	

CITY COUNCIL MEMBERS AND CITY STAFF

Barbara Halliday  
Mayor

Greg Jones  
Council Member

Sara Lamnin  
Council Member

Elisa Marquez  
Council Member

Al Mendall  
Council Member

Marvin Peixoto  
Council Member

Francisco Zermeno  
Council Member

Fran David  
City Manager

Michael Lawson  
City Attorney

Miriam Lens  
City Clerk

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

Joseph A. Francisco, P.E.  
Engineer of Work

ENGINEER'S REPORT

CITY OF HAYWARD  
MAINTENANCE DISTRICT NO. 2  
FISCAL YEAR 2014

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

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Joseph A. Francisco, P.E.  
RCE No. 40688

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 \_\_\_\_\_, 2015.

Miriam Lens  
City Clerk, City of Hayward

By: \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Hayward, Alameda County, California, on the \_\_\_ day of \_\_\_\_\_, 2015.

Miriam Lens  
City Clerk, City of Hayward

By: \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Assessment Diagram thereto attached, was filed with the County Auditor of the County of Alameda, on the \_\_\_ day of \_\_\_\_\_, 2015.

By: \_\_\_\_\_

Joseph A. Francisco, P.E.  
RCE No. 40688

SECTION I

INTRODUCTION  
ENGINEER'S REPORT

CITY OF HAYWARD  
MAINTENANCE DISTRICT NO. 2

FISCAL YEAR 2014

*Background Information*

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

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

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

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

On June 24, 2003, by Resolution No. 03-102, the City Council ordered the formation of Maintenance District No. 2 to provide the funding for the operation and maintenance of these facilities. The FY 2004 Final Engineer's Report (formation report) included a FY 2004 budget which proposed \$343,875.00 in expenditures at buildout for an anticipated 525 assessable parcels which equated to maximum assessment rate of \$655.00/parcel. This maximum annual assessment rate is increased each fiscal year by the prior year's change in the Consumer Price Index.

*Proposition 218 Compliance*

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

Proposition 218 stated that any existing assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems, or vector control on or before November 6, 1996 shall be exempt from the procedures and approval process of Proposition 218, unless the assessments are

increased. Proposition 218 defines increased, when applied to an assessment, as a decision by an agency that does either of the following:

- a) Increases any applicable rate used to calculate the assessment.
- b) Revises the methodology by which the assessment is calculated, if that revision results in an increased amount being levied on any person or parcel

The formation methodology used to calculate the maximum annual assessment that could be levied in any given year included a provision that allows the maximum assessment rate to be increased each fiscal year by the prior year's change in the Consumer Price Index. Therefore, based upon the review of the City Attorney, imposing the assessment adjustment each year based upon the prior year's increase in the Consumer Price Index does not require Proposition 218 proceedings.

The FY 2004 formation documents set the maximum assessment rate at \$655.00 per parcel, which increased each fiscal year by the prior year's change in the Consumer Price Index. Therefore, the FY 2016 maximum assessment rate is now set at \$851.10 per parcel.

For Fiscal Year 2016, the collection rate is proposed to be increased from \$157.30 per parcel to \$173.00 per parcel. This FY 2016 collection rate is below the FY 2016 maximum assessment rate of \$851.10 per parcel, therefore does not require Proposition 218 proceedings.

In FY 2008 the collection rate was \$155.00 per parcel. For FY 2009 through FY 2011 the collection rate was reduced to \$100.00 per parcel at the request of the Eden Shores Homeowners' Association (HOA) due to downturn economic conditions and the fact that there were sufficient reserves available to supplement the annual operation and maintenance costs for those fiscal years. For FY 2012 through FY 2013, the collection rate increased to \$130.00 per parcel to cover increased maintenance and utility costs. For FY 2014, the collection rate increased by 10% to \$143.00 per parcel to cover increased maintenance and utility costs. For FY 2015, the collection rate increased to \$157.30 per parcel to cover increased maintenance and utility costs. For Fiscal Year 2016, the estimated operating costs are \$115,012.00, which includes \$11,000.00 budgeted for pump replacement and any major repairs beyond normal operation activities. Based on these estimated operating costs, the collection rate needed to cover the FY 2016 operating expenses would be approximately \$218.32 per parcel. However, the collection rate is proposed to only be increased 10%, from \$157.30 to \$173.00 per parcel because THERE are sufficient funds in the reserves. In future fiscal years it is anticipated that the rates will continue to be increased a minimum of 10% per year until annual revenues equal expenditures for normal operation activities. The proposed FY 2016 assessment is below the maximum base assessment of \$851.10 per parcel. In future years, if there is a need for additional funds to cover any major repairs or replacements, the assessment amount may be increased up to their maximum base assessment amount.

#### *Current Annual Administration*

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

The City of Hayward will hold a public hearing on July 7, 2015, to provide an opportunity for any interested person to be heard. At the conclusion of the public hearing, the City Council may adopt a resolution confirming the levy of assessments as originally proposed or as modified. Following the adoption of this resolution, the final Assessor's Roll will be prepared and filed with the County Auditor's office to be included on the Fiscal Year 2016 tax roll.

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

SECTION II

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

CITY OF HAYWARD  
MAINTENANCE DISTRICT NO. 2

FISCAL YEAR 2016

Pursuant to Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California, and Chapter 10, Article 10, Section 10-10.25 of the Hayward Municipal Code, and in accordance with the Resolution of Intention, being Resolution No. 15-\_\_\_, Preliminarily Approving the Engineer's Report, on May 19, 2015, by the City Council of the City of Hayward, County of Alameda, State of California, in connection with the proceedings for:

CITY OF HAYWARD  
MAINTENANCE DISTRICT No. 2

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

**PART A: PLANS AND SPECIFICATIONS**

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

**PART B: ESTIMATE OF COST**

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

**PART C: MAINTENANCE ASSESSMENT DISTRICT DIAGRAM**

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

**PART D: METHOD OF APPORTIONMENT OF ASSESSMENT**

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

**PART E: PROPERTY OWNER LIST & ASSESSMENT ROLL**

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

PART A

PLANS AND SPECIFICATIONS

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

DESCRIPTION OF IMPROVEMENTS

CITY OF HAYWARD  
MAINTENANCE DISTRICT No. 2

FISCAL YEAR 2016

The following improvements are proposed to be operated, maintained and serviced in Maintenance District No. 2 for Fiscal Year 2016:

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

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

For Fiscal Year 2016, the estimated operating costs are \$115,012.00, which includes \$11,000.00 budgeted for pump replacement and any major repairs beyond normal operation activities. Based on these estimated operating costs, the collection rate needed to cover the FY 2016 operating expenses would be approximately \$218.32 per parcel. However, the collection rate is proposed to only be increased 10%, from \$157.30 to \$173.00 per parcel because there are sufficient funds in the reserves. In future fiscal years it is anticipated that the rates will continue to be increased a minimum of 10% per year until annual revenues equal expenditures for normal operation activities. The proposed FY 2016 assessment is below the maximum base assessment of \$851.10 per parcel.

In future years, if there is a need for additional funds, the assessment amount may be increased up to their maximum base assessment amount. This maximum base assessment amount increases annually based upon the prior year's change in the Consumer Price Index. Future increases in the assessment amount up to the maximum base assessment amount would not require the noticing and balloting of property owners per the requirements of Proposition 218.

PART B

ESTIMATE OF COST

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

The base assessment rate was set at \$655.00 per parcel for the base year July 1, 2003 with an automatic allowance for a CPI increase annually from April 1<sup>st</sup> to March 31<sup>st</sup> of each year. On July 1, 2003, the CPI Index was set at 192.25. The most current CPI Index available at the time of this report was February 2015. The February 2015 CPI was 249.809 which translates to a 29.94% (249.809/192.25) increase since the base year. Therefore, the revised base assessment that can be levied in Fiscal Year 2016 is \$851.10 per parcel, as compared to \$835.22 in Fiscal Year 2015. Future CPI increases in the base assessment rate do not require the noticing and balloting of property owners per the requirements of Proposition 218.

The costs for Fiscal Year 2016 are summarized on the following page. These cost estimates have been provided by the City of Hayward.

TABLE 1: COST ESTIMATE FISCAL YEAR 2016 Fund 271 - Maintenance District No. 2 - Eden Shores	
	Fiscal Year 2016 Budget
Number of Assessable Parcels	534
Beginning Balance of Fiscal Year (July 1, 2015)	<u>\$ 316,359.60</u>
<b>REVENUE</b>	
Annual Assessment Fee (534 Assessable Parcels)	\$ 92,382.00
County Collection Fee (1.7%)	(\$ 1,570.49)
Net Revenue	\$ 90,811.51
<b>Total Available</b>	<b><u>\$407,171.11</u></b>
<b>EXPENDITURE</b>	
<b><u>I. MAINTENANCE &amp; UTILITY</u></b>	
<b><u>I. Maintenance &amp; Utility</u></b>	
(a) Utilities: Irrigation water and electrical energy	\$ 58,100.00
(b) Maintenance Work: Landscaping and buffer lake maintenance plus debris removal, weeding, trimming, spraying, and predator fence, steel structures, masonry wall surface maintenance	\$ 31,000.00
(c) Pump Replacements and/or major repairs	\$ 11,000.00
<b>Subtotal I:</b>	<b><u>\$100,100.00</u></b>
<b><u>II. Supplies &amp; Services</u></b>	
(a) Special Services	\$ 6,547.00
(b) Special Services - Pre-Treatment Pond (Alameda County Flood Control)	\$ 3,300.00
(c) Supplies: printing and postage	\$ 1,770.00
<b>Subtotal II:</b>	<b><u>\$11,617.00</u></b>
<b><u>III. Administrative Services</u></b>	
(a) Administration	\$ 3,295.00
<b>Subtotal III:</b>	<b><u>\$3,295.00</u></b>
<b>Total Expense (Sum of I, II and III)</b>	<b><u>\$115,012.00</u></b>
Ending Balance of Fiscal Year (June 30, 2016)	<u>\$ 292,159.11</u>
Change in Reserve Fund Balance	<u>(\$ 24,200.49)</u>
<b>RESERVE DETAIL</b>	
Required Operating Reserves <sup>(1)</sup>	\$ 57,506.00
Available Capital Reserves <sup>(2)</sup>	\$ 234,653.11
<b>Subtotal:</b>	<b><u>\$292,159.11</u></b>
<b>Assessment Amount per Parcel</b>	<b>\$173.00</b>
<b>Maximum Base Assessment Amount per Parcel</b>	<b>\$851.10</b>
<b>NOTES:</b>	
<sup>(1)</sup> 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.	
<sup>(2)</sup> Capital Reserve Funds will be used in the event capital facilities need replacement because of natural disaster, failure, damage, vandalism, etc.	

PART C

MAINTENANCE ASSESSMENT DISTRICT DIAGRAM

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

A detailed description of the lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Alameda for Fiscal Year 2016.

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

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

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

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

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

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

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

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

The estimated Fiscal Year 2016 assessment revenue is \$92,382.00. The collection rate for Fiscal Year 2016 will be \$173.00 per parcel.

PART E

PROPERTY OWNER LIST & ASSESSMENT ROLL

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

The proposed collection rate and the amount for Fiscal Year 2016 apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office, are on file in the Office of the City Clerk. The description of each lot or parcel is part of the records of the Assessor of the County of Alameda and these records are, by reference, made a part of this report.

The total amount proposed to be collected for Fiscal Year 2016 is \$92,382.00.

The Assessment Roll for Fiscal Year 2016 is included on the following page of this Report and is on file in the Office of the Hayward City Clerk.

APPENDIX A  
VICINITY MAP



APPENDIX B  
ASSESSMENT DIAGRAM



APPENDIX C  
Fiscal Year 2016  
ASSESSMENT ROLL

City of Hayward  
Maintenance District No. 2

PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
461-0037-002-00	\$173.00	461-0037-053-00	\$173.00	461-0037-104-00	\$173.00
461-0037-003-00	\$173.00	461-0037-054-00	\$173.00	461-0037-105-00	\$173.00
461-0037-004-00	\$173.00	461-0037-055-00	\$173.00	461-0037-106-00	\$173.00
461-0037-005-00	\$173.00	461-0037-056-00	\$173.00	461-0037-107-00	\$173.00
461-0037-006-00	\$173.00	461-0037-057-00	\$173.00	461-0037-108-00	\$173.00
461-0037-007-00	\$173.00	461-0037-058-00	\$173.00	461-0037-109-00	\$173.00
461-0037-008-00	\$173.00	461-0037-059-00	\$173.00	461-0037-110-00	\$173.00
461-0037-009-00	\$173.00	461-0037-060-00	\$173.00	461-0100-003-00	\$173.00
461-0037-010-00	\$173.00	461-0037-061-00	\$173.00	461-0100-004-00	\$173.00
461-0037-011-00	\$173.00	461-0037-062-00	\$173.00	461-0100-005-00	\$173.00
461-0037-012-00	\$173.00	461-0037-063-00	\$173.00	461-0100-006-00	\$173.00
461-0037-013-00	\$173.00	461-0037-064-00	\$173.00	461-0100-007-00	\$173.00
461-0037-014-00	\$173.00	461-0037-065-00	\$173.00	461-0100-008-00	\$173.00
461-0037-015-00	\$173.00	461-0037-066-00	\$173.00	461-0100-009-00	\$173.00
461-0037-016-00	\$173.00	461-0037-067-00	\$173.00	461-0100-010-00	\$173.00
461-0037-017-00	\$173.00	461-0037-068-00	\$173.00	461-0100-011-00	\$173.00
461-0037-018-00	\$173.00	461-0037-069-00	\$173.00	461-0100-012-00	\$173.00
461-0037-019-00	\$173.00	461-0037-070-00	\$173.00	461-0100-013-00	\$173.00
461-0037-020-00	\$173.00	461-0037-071-00	\$173.00	461-0100-014-00	\$173.00
461-0037-021-00	\$173.00	461-0037-072-00	\$173.00	461-0100-015-00	\$173.00
461-0037-022-00	\$173.00	461-0037-073-00	\$173.00	461-0100-016-00	\$173.00
461-0037-023-00	\$173.00	461-0037-074-00	\$173.00	461-0100-017-00	\$173.00
461-0037-024-00	\$173.00	461-0037-075-00	\$173.00	461-0100-018-00	\$173.00
461-0037-025-00	\$173.00	461-0037-076-00	\$173.00	461-0100-019-00	\$173.00
461-0037-026-00	\$173.00	461-0037-077-00	\$173.00	461-0100-020-00	\$173.00
461-0037-027-00	\$173.00	461-0037-078-00	\$173.00	461-0100-021-00	\$173.00
461-0037-028-00	\$173.00	461-0037-079-00	\$173.00	461-0100-022-00	\$173.00
461-0037-029-00	\$173.00	461-0037-080-00	\$173.00	461-0100-023-00	\$173.00
461-0037-030-00	\$173.00	461-0037-081-00	\$173.00	461-0100-024-00	\$173.00
461-0037-031-00	\$173.00	461-0037-082-00	\$173.00	461-0100-025-00	\$173.00
461-0037-032-00	\$173.00	461-0037-083-00	\$173.00	461-0100-026-00	\$173.00
461-0037-033-00	\$173.00	461-0037-084-00	\$173.00	461-0100-027-00	\$173.00
461-0037-034-00	\$173.00	461-0037-085-00	\$173.00	461-0100-028-00	\$173.00
461-0037-035-00	\$173.00	461-0037-086-00	\$173.00	461-0100-029-00	\$173.00
461-0037-036-00	\$173.00	461-0037-087-00	\$173.00	461-0100-030-00	\$173.00
461-0037-037-00	\$173.00	461-0037-088-00	\$173.00	461-0100-031-00	\$173.00
461-0037-038-00	\$173.00	461-0037-089-00	\$173.00	461-0100-032-00	\$173.00
461-0037-039-00	\$173.00	461-0037-090-00	\$173.00	461-0100-033-00	\$173.00
461-0037-040-00	\$173.00	461-0037-091-00	\$173.00	461-0100-034-00	\$173.00
461-0037-041-00	\$173.00	461-0037-092-00	\$173.00	461-0100-035-00	\$173.00
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461-0037-043-00	\$173.00	461-0037-094-00	\$173.00	461-0100-037-00	\$173.00
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461-0037-045-00	\$173.00	461-0037-096-00	\$173.00	461-0100-039-00	\$173.00
461-0037-046-00	\$173.00	461-0037-097-00	\$173.00	461-0100-040-00	\$173.00
461-0037-047-00	\$173.00	461-0037-098-00	\$173.00	461-0100-041-00	\$173.00
461-0037-048-00	\$173.00	461-0037-099-00	\$173.00	461-0100-042-00	\$173.00
461-0037-049-00	\$173.00	461-0037-100-00	\$173.00	461-0100-043-00	\$173.00
461-0037-050-00	\$173.00	461-0037-101-00	\$173.00	461-0100-044-00	\$173.00
461-0037-051-00	\$173.00	461-0037-102-00	\$173.00	461-0100-045-00	\$173.00

City of Hayward  
Maintenance District No. 2

PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
461-0100-047-00	\$173.00	461-0100-098-00	\$173.00	461-0101-035-00	\$173.00
461-0100-048-00	\$173.00	461-0100-099-00	\$173.00	461-0101-036-00	\$173.00
461-0100-049-00	\$173.00	461-0100-100-00	\$173.00	461-0101-037-00	\$173.00
461-0100-050-00	\$173.00	461-0100-101-00	\$173.00	461-0101-038-00	\$173.00
461-0100-051-00	\$173.00	461-0100-102-00	\$173.00	461-0101-039-00	\$173.00
461-0100-052-00	\$173.00	461-0100-103-00	\$173.00	461-0101-040-00	\$173.00
461-0100-053-00	\$173.00	461-0100-104-00	\$173.00	461-0101-041-00	\$173.00
461-0100-054-00	\$173.00	461-0100-105-00	\$173.00	461-0101-042-00	\$173.00
461-0100-055-00	\$173.00	461-0100-106-00	\$173.00	461-0101-043-00	\$173.00
461-0100-056-00	\$173.00	461-0100-107-00	\$173.00	461-0101-044-00	\$173.00
461-0100-057-00	\$173.00	461-0100-108-00	\$173.00	461-0101-045-00	\$173.00
461-0100-058-00	\$173.00	461-0100-109-00	\$173.00	461-0101-046-00	\$173.00
461-0100-059-00	\$173.00	461-0100-110-00	\$173.00	461-0101-047-00	\$173.00
461-0100-060-00	\$173.00	461-0100-111-00	\$173.00	461-0101-048-00	\$173.00
461-0100-061-00	\$173.00	461-0100-112-00	\$173.00	461-0101-049-00	\$173.00
461-0100-062-00	\$173.00	461-0100-113-00	\$173.00	461-0101-050-00	\$173.00
461-0100-063-00	\$173.00	461-0100-114-00	\$173.00	461-0101-051-00	\$173.00
461-0100-064-00	\$173.00	461-0100-115-00	\$173.00	461-0101-052-00	\$173.00
461-0100-065-00	\$173.00	461-0100-116-00	\$173.00	461-0101-053-00	\$173.00
461-0100-066-00	\$173.00	461-0100-117-00	\$173.00	461-0101-054-00	\$173.00
461-0100-067-00	\$173.00	461-0100-118-00	\$173.00	461-0101-055-00	\$173.00
461-0100-068-00	\$173.00	461-0101-005-00	\$173.00	461-0101-056-00	\$173.00
461-0100-069-00	\$173.00	461-0101-006-00	\$173.00	461-0101-057-00	\$173.00
461-0100-070-00	\$173.00	461-0101-007-00	\$173.00	461-0101-058-00	\$173.00
461-0100-071-00	\$173.00	461-0101-008-00	\$173.00	461-0101-059-00	\$173.00
461-0100-072-00	\$173.00	461-0101-009-00	\$173.00	461-0101-060-00	\$173.00
461-0100-073-00	\$173.00	461-0101-010-00	\$173.00	461-0101-061-00	\$173.00
461-0100-074-00	\$173.00	461-0101-011-00	\$173.00	461-0101-062-00	\$173.00
461-0100-075-00	\$173.00	461-0101-012-00	\$173.00	461-0101-063-00	\$173.00
461-0100-076-00	\$173.00	461-0101-013-00	\$173.00	461-0101-064-00	\$173.00
461-0100-077-00	\$173.00	461-0101-014-00	\$173.00	461-0101-065-00	\$173.00
461-0100-078-00	\$173.00	461-0101-015-00	\$173.00	461-0101-066-00	\$173.00
461-0100-079-00	\$173.00	461-0101-016-00	\$173.00	461-0101-067-00	\$173.00
461-0100-080-00	\$173.00	461-0101-017-00	\$173.00	461-0101-068-00	\$173.00
461-0100-081-00	\$173.00	461-0101-018-00	\$173.00	461-0101-069-00	\$173.00
461-0100-082-00	\$173.00	461-0101-019-00	\$173.00	461-0101-070-00	\$173.00
461-0100-083-00	\$173.00	461-0101-020-00	\$173.00	461-0101-071-00	\$173.00
461-0100-084-00	\$173.00	461-0101-021-00	\$173.00	461-0101-072-00	\$173.00
461-0100-085-00	\$173.00	461-0101-022-00	\$173.00	461-0101-073-00	\$173.00
461-0100-086-00	\$173.00	461-0101-023-00	\$173.00	461-0101-074-00	\$173.00
461-0100-087-00	\$173.00	461-0101-024-00	\$173.00	461-0101-075-00	\$173.00
461-0100-088-00	\$173.00	461-0101-025-00	\$173.00	461-0101-076-00	\$173.00
461-0100-089-00	\$173.00	461-0101-026-00	\$173.00	461-0101-077-00	\$173.00
461-0100-090-00	\$173.00	461-0101-027-00	\$173.00	461-0101-078-00	\$173.00
461-0100-091-00	\$173.00	461-0101-028-00	\$173.00	461-0101-079-00	\$173.00
461-0100-092-00	\$173.00	461-0101-029-00	\$173.00	461-0101-080-00	\$173.00
461-0100-093-00	\$173.00	461-0101-030-00	\$173.00	461-0101-081-00	\$173.00
461-0100-094-00	\$173.00	461-0101-031-00	\$173.00	461-0101-082-00	\$173.00
461-0100-095-00	\$173.00	461-0101-032-00	\$173.00	461-0101-083-00	\$173.00
461-0100-096-00	\$173.00	461-0101-033-00	\$173.00	461-0101-084-00	\$173.00

City of Hayward  
Maintenance District No. 2

PRELIMINARY ASSESSMENT ROLL  
FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
461-0101-086-00	\$173.00	461-0101-137-00	\$173.00	461-0102-018-00	\$173.00
461-0101-087-00	\$173.00	461-0101-138-00	\$173.00	461-0102-019-00	\$173.00
461-0101-088-00	\$173.00	461-0101-139-00	\$173.00	461-0102-020-00	\$173.00
461-0101-089-00	\$173.00	461-0101-140-00	\$173.00	461-0102-021-00	\$173.00
461-0101-090-00	\$173.00	461-0101-141-00	\$173.00	461-0102-022-00	\$173.00
461-0101-091-00	\$173.00	461-0101-142-00	\$173.00	461-0102-023-00	\$173.00
461-0101-092-00	\$173.00	461-0101-143-00	\$173.00	461-0102-024-00	\$173.00
461-0101-093-00	\$173.00	461-0101-144-00	\$173.00	461-0102-025-00	\$173.00
461-0101-094-00	\$173.00	461-0101-145-00	\$173.00	461-0102-026-00	\$173.00
461-0101-095-00	\$173.00	461-0101-146-00	\$173.00	461-0102-027-00	\$173.00
461-0101-096-00	\$173.00	461-0101-147-00	\$173.00	461-0102-028-00	\$173.00
461-0101-097-00	\$173.00	461-0101-148-00	\$173.00	461-0102-029-00	\$173.00
461-0101-098-00	\$173.00	461-0101-149-00	\$173.00	461-0102-030-00	\$173.00
461-0101-099-00	\$173.00	461-0101-150-00	\$173.00	461-0102-031-00	\$173.00
461-0101-100-00	\$173.00	461-0101-151-00	\$173.00	461-0102-032-00	\$173.00
461-0101-101-00	\$173.00	461-0101-152-00	\$173.00	461-0102-033-00	\$173.00
461-0101-102-00	\$173.00	461-0101-153-00	\$173.00	461-0102-034-00	\$173.00
461-0101-103-00	\$173.00	461-0101-154-00	\$173.00	461-0102-035-00	\$173.00
461-0101-104-00	\$173.00	461-0101-155-00	\$173.00	461-0102-036-00	\$173.00
461-0101-105-00	\$173.00	461-0101-156-00	\$173.00	461-0102-037-00	\$173.00
461-0101-106-00	\$173.00	461-0101-157-00	\$173.00	461-0102-038-00	\$173.00
461-0101-107-00	\$173.00	461-0101-158-00	\$173.00	461-0102-039-00	\$173.00
461-0101-108-00	\$173.00	461-0101-159-00	\$173.00	461-0102-040-00	\$173.00
461-0101-109-00	\$173.00	461-0101-160-00	\$173.00	461-0102-041-00	\$173.00
461-0101-110-00	\$173.00	461-0101-161-00	\$173.00	461-0102-042-00	\$173.00
461-0101-111-00	\$173.00	461-0101-162-00	\$173.00	461-0102-043-00	\$173.00
461-0101-112-00	\$173.00	461-0101-163-00	\$173.00	461-0102-044-00	\$173.00
461-0101-113-00	\$173.00	461-0101-164-00	\$173.00	461-0102-045-00	\$173.00
461-0101-114-00	\$173.00	461-0101-165-00	\$173.00	461-0102-046-00	\$173.00
461-0101-115-00	\$173.00	461-0101-166-00	\$173.00	461-0102-047-00	\$173.00
461-0101-116-00	\$173.00	461-0101-167-00	\$173.00	461-0102-048-00	\$173.00
461-0101-117-00	\$173.00	461-0101-168-00	\$173.00	461-0102-049-00	\$173.00
461-0101-118-00	\$173.00	461-0101-169-00	\$173.00	461-0102-050-00	\$173.00
461-0101-119-00	\$173.00	461-0101-170-00	\$173.00	461-0102-051-00	\$173.00
461-0101-120-00	\$173.00	461-0101-171-00	\$173.00	461-0102-052-00	\$173.00
461-0101-121-00	\$173.00	461-0102-002-00	\$173.00	461-0102-053-00	\$173.00
461-0101-122-00	\$173.00	461-0102-003-00	\$173.00	461-0102-054-00	\$173.00
461-0101-123-00	\$173.00	461-0102-004-00	\$173.00	461-0102-055-00	\$173.00
461-0101-124-00	\$173.00	461-0102-005-00	\$173.00	461-0102-056-00	\$173.00
461-0101-125-00	\$173.00	461-0102-006-00	\$173.00	461-0102-057-00	\$173.00
461-0101-126-00	\$173.00	461-0102-007-00	\$173.00	461-0102-058-00	\$173.00
461-0101-127-00	\$173.00	461-0102-008-00	\$173.00	461-0102-059-00	\$173.00
461-0101-128-00	\$173.00	461-0102-009-00	\$173.00	461-0102-060-00	\$173.00
461-0101-129-00	\$173.00	461-0102-010-00	\$173.00	461-0102-061-00	\$173.00
461-0101-130-00	\$173.00	461-0102-011-00	\$173.00	461-0102-062-00	\$173.00
461-0101-131-00	\$173.00	461-0102-012-00	\$173.00	461-0102-063-00	\$173.00
461-0101-132-00	\$173.00	461-0102-013-00	\$173.00	461-0102-064-00	\$173.00
461-0101-133-00	\$173.00	461-0102-014-00	\$173.00	461-0102-065-00	\$173.00
461-0101-134-00	\$173.00	461-0102-015-00	\$173.00	461-0103-004-00	\$173.00
461-0101-135-00	\$173.00	461-0102-016-00	\$173.00	461-0103-005-00	\$173.00

City of Hayward  
 Maintenance District No. 2

PRELIMINARY ASSESSMENT ROLL  
 FISCAL YEAR 2016

Assessor's Parcel Number	Assessment Amount	Assessor's Parcel Number	Assessment Amount
461-0103-007-00	\$173.00	461-0103-058-00	\$173.00
461-0103-008-00	\$173.00	461-0103-059-00	\$173.00
461-0103-009-00	\$173.00	461-0103-060-00	\$173.00
461-0103-010-00	\$173.00	461-0103-061-00	\$173.00
461-0103-011-00	\$173.00	461-0103-062-00	\$173.00
461-0103-012-00	\$173.00	461-0103-063-00	\$173.00
461-0103-013-00	\$173.00	461-0103-064-00	\$173.00
461-0103-014-00	\$173.00	461-0103-065-00	\$173.00
461-0103-015-00	\$173.00	461-0103-066-00	\$173.00
461-0103-016-00	\$173.00	461-0103-067-00	\$173.00
461-0103-017-00	\$173.00	461-0103-068-00	\$173.00
461-0103-018-00	\$173.00	461-0103-069-00	\$173.00
461-0103-019-00	\$173.00	461-0103-070-00	\$173.00
461-0103-020-00	\$173.00	461-0103-071-00	\$173.00
461-0103-021-00	\$173.00	461-0103-072-00	\$173.00
461-0103-022-00	\$173.00	461-0103-073-00	\$173.00
461-0103-023-00	\$173.00	461-0103-074-00	\$173.00
461-0103-024-00	\$173.00	461-0103-075-00	\$173.00
461-0103-025-00	\$173.00	461-0103-076-00	\$173.00
461-0103-026-00	\$173.00	461-0103-077-00	\$173.00
461-0103-027-00	\$173.00	461-0103-078-00	\$173.00
461-0103-028-00	\$173.00	461-0103-079-00	\$173.00
461-0103-029-00	\$173.00	461-0103-080-00	\$173.00
461-0103-030-00	\$173.00	461-0103-081-00	\$173.00
461-0103-031-00	\$173.00		
461-0103-032-00	\$173.00	<b>Total Parcels:</b>	<b>534</b>
461-0103-033-00	\$173.00		
461-0103-034-00	\$173.00	<b>Total</b>	
461-0103-035-00	\$173.00	<b>Assessment:</b>	<b>\$92,382.00</b>
461-0103-036-00	\$173.00		
461-0103-037-00	\$173.00		
461-0103-038-00	\$173.00		
461-0103-039-00	\$173.00		
461-0103-040-00	\$173.00		
461-0103-041-00	\$173.00		
461-0103-042-00	\$173.00		
461-0103-043-00	\$173.00		
461-0103-044-00	\$173.00		
461-0103-045-00	\$173.00		
461-0103-046-00	\$173.00		
461-0103-047-00	\$173.00		
461-0103-048-00	\$173.00		
461-0103-049-00	\$173.00		
461-0103-050-00	\$173.00		
461-0103-051-00	\$173.00		
461-0103-052-00	\$173.00		
461-0103-053-00	\$173.00		
461-0103-054-00	\$173.00		
461-0103-055-00	\$173.00		
461-0103-056-00	\$173.00		

**DATE:** May 19, 2015

**TO:** Mayor and City Council

**FROM:** Development Services Director

**SUBJECT:** Adopt a Resolution of Intention to Execute Renewal of a Joint Exercise of Powers Agreement (JPA) for Six Months through the End of 2015 for the Hayward Area Shoreline Planning Agency (HASPA)

### **RECOMMENDATION**

That Council adopts the attached resolution (Attachment I), renewing the Joint Exercise of Powers Agreement (Attachment II), which continues the Hayward Area Shoreline Planning Agency.

### **BACKGROUND**

The Hayward Area Shoreline Planning Agency (HASPA), consisting of representatives from the City of Hayward, the East Bay Regional Park District (EBRPD) and the Hayward Area Recreation and Park District (HARD), has requested its member agencies consider a six month extension of the Joint Exercise of Powers Agreement (JPA). This JPA, originally executed in 1970 and renewed every five years since, created HASPA to prepare plans and programs for the Hayward Shoreline and to coordinate these efforts with interested parties. The present JPA is scheduled to expire on July 1, 2015. Renewal of the JPA would extend the HASPA's authority to January 1, 2016.

The need to renew the HASPA JPA was discussed at the regular HASPA meetings on January 22, 2015, and April 23, 2015. At the January 22<sup>nd</sup> HASPA meeting, Trustees asked each existing participating agency to consult with their agencies with a commitment one way or another to continue with HASPA for another five years. Prior to the April 23<sup>rd</sup> HASPA meeting, Hayward's City Manager and the general managers of HARD and EBRPD requested that the JPA be renewed for a few months to allow time for further discussion of the future of HASPA and agreed to collaborate in an effort to help formulate a new direction and future vision for shoreline protection in Hayward. This message was conveyed to HASPA Trustees at their April 23<sup>rd</sup> meeting, which resulted in the Trustees authorizing a six month continuance of the JPA.

It is anticipated that the HAPSA Trustees, Hayward's City Manager and the general managers for HARD and EBRPD will work together to move HASPA towards a new mission and focus, which will be reflected in a revised JPA for five more years that will be presented for consideration sometime later this calendar year. HASPA meeting information can be found at the following link on the City's website: <http://www.hayward-ca.gov/CITY-GOVERNMENT/ALAMEDA-COUNTY-AGENCIES-&-OTHER-ORGANIZATIONS/haspa.shtm>.

## **DISCUSSION**

The current HASPA Board of Trustees is composed of Councilmember Al Mendall, HARD Board member Minane Jameson, and EBRPD Board member Dennis Waespi. Al Mendall was recently elected Chair of the HASPA Board of Trustees.

City staff looks forward to continued participation with HASPA and implementation of a new vision for HASPA in the coming months. Addressing impacts and mitigation related to sea level rise is sure to be one of the new focus areas for HASPA. Existing duties such as implementation of each agency's shoreline plans, seeking funding to implement the goals of HASPA, providing public education related to adopted shoreline plans, and presenting positions on legislative matters that affect the Hayward Shoreline may continue to be part of the new HASPA focus and mission. In keeping with the traditional rotation of official duties and administrative responsibilities among member agencies, City of Hayward staff will provide administrative support for at least the next six months. The City of Hayward staff previously served in this capacity from 2000 to 2005.

The only specific changes suggested to the JPA agreement at this time are extending the term for another six months. No other changes are recommended to the document at this time.

## **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act Guidelines, this renewal of the JPA does not require environmental review since there is no possibility that it may have a significant effect on the environment.

## **ECONOMIC AND FISCAL IMPACT**

The Hayward Shoreline is a large part of what makes Hayward a desirable place to live and enjoy. The activities of HASPA have and will continue to help ensure that the Shoreline remains protected and accessible. The Shoreline is a local asset that has a positive impact on the local economy and quality of life by attracting hikers, bird watchers, hunters, runners and cyclists.

Renewal of the HASPA JPA for another six months will have no unanticipated impact to the City's General Fund. Support provided by Planning Division staff to HASPA is budgeted within the Planning Division's Advanced Planning section. It is estimated that Planning Division staff spends approximately sixty hours per year supporting HASPA quarterly meetings and activities.

## **PUBLIC CONTACT**

All HASPA meetings are open to and attended by the public. Posting of HASPA meetings are found on websites for each of the participating agencies: City of Hayward, HARD, and EBRPD. Physical posting of these meeting also occurs outside the Hayward City Hall building. Additionally, posting of meetings is found at the Alameda County libraries and in the Tri-City Voice newspaper.

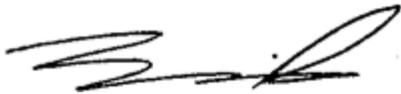
## **NEXT STEPS**

Staff will forward the adopted resolution and executed agreement to HARD and EBRPD, which also plan to adopt resolutions to extend HAPA for six months. It is anticipated that HARD and EBRPD will adopt resolutions supporting an extension to the JPA for six months in late May or June.

*Prepared by:* Damon Golubics, Senior Planner

*Recommended by:* David Rizk, AICP, Development Services Director

Approved by:



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Fran David, City Manager

### Attachments:

Attachment I	Resolution to Execute JPA
Attachment II	HASPA Joint Exercise of Powers Agreement

Cc: John Gouveia, General Manager, HARD  
Robert Doyle, General Manager, EBRPD

HAYWARD CITY COUNCIL

RESOLUTION NO. 15-

Introduced by Councilmember \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE RENEWAL OF THE HAYWARD AREA SHORELINE PLANNING AGENCY JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE CITY OF HAYWARD, EAST BAY REGIONAL PARK DISTRICT, AND HAYWARD AREA RECREATION AND PARK DISTRICT FOR ANOTHER SIX MONTHS

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to execute on behalf of the City of Hayward that certain agreement between the City of Hayward, the East Bay Regional Park District, and the Hayward Area Recreation and Park District renewing the Hayward Area Shoreline Planning Agency Joint Exercise of Powers Agreement for a term through January 1, 2016, in substantially the form of the agreement on file in the office of the City Clerk, with such changes or additions as the City Manager shall approve upon consultation with the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2015

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

**HAYWARD AREA SHORELINE PLANNING AGENCY  
JOINT EXERCISE OF POWERS AGREEMENT**

THIS AGREEMENT, dated for convenience as of June 30, 2015, is made and entered into by and among the East Bay Regional Park District, a special district (hereinafter referred to as "Regional Park District"); the Hayward Area Recreation and Park District, a public corporation (hereinafter referred to as "HARD"); and the City of Hayward, a municipal corporation (hereinafter referred to as "Hayward"); each duly organized and existing in the County of Alameda under the constitution and laws of the State of California.

**WITNESSETH:**

WHEREAS, the Hayward Area Shoreline Planning Agency (hereinafter referred to as "HASPA"), is a joint powers agency consisting of representatives from the Regional Park District, HARD, and Hayward.

WHEREAS, HASPA was formed pursuant to the December 7, 1970 Joint Exercise of Powers Agreement (hereinafter the HASPA Agreement), for the purpose, among others, of preparing a comprehensive statement of planning policy for the area referred to as the Hayward Shoreline, as more particularly described herein; and,

WHEREAS, the HASPA Agreement was subsequently extended on October 7, 1975, November 13, 1979, June 10, 1985, September 11, 1990, September 21, 1995, August 25, 2000, July 1, 2005 and June 30, 2010; and,

WHEREAS, the 2010 HASPA Agreement is currently due to terminate on July 1, 2015, and the parties wish to continue HASPA and its powers and functions in coordinating Shoreline planning activities and carrying out previously adopted policies for the Shoreline area.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, the three parties agree to continue HASPA with the organization, powers,

and functions that are set forth in the following.

### **Section 1. Definitions**

- a. "Agency" shall mean HASPA.
- b. "Agreement" shall mean this Joint Exercise of Powers Agreement.
- c. "Hayward Shoreline" and "Shoreline" shall mean all areas of the City of Hayward and all areas of the unincorporated land in the Alameda County that are west of the Southern Pacific Railroad tracks and are between the boundaries of the City of San Leandro on the north and the City of Fremont on the south.
- d. "Parties" shall mean the Regional Park District, HARD, and Hayward.
- e. "Party" shall mean either the Regional Park District, HARD, or Hayward.

### **Section 2. Authority and Purpose**

This Agreement is made pursuant to Chapter 5, of Division 7, Title 1 of the California Government Code (Sections 6500 et seq.) and relates to the joint exercise of powers held by each of the parties. The purpose of this Agreement is to jointly exercise the common powers of the parties to study, plan, and adopt policies concerning the land uses in the Shoreline area, in order to develop a comprehensive plan for the governing bodies of the parties so that the plans and actions of each party are compatible with those of the other parties.

### **Section 3. Continuation of HASPA**

The parties agree to continue in existence the Hayward Area Shoreline Planning Agency to exercise the powers hereinafter set forth. The Agency shall continue to be a public entity separate from the parties.

### **Section 4. Powers**

Subject to limitations set forth herein, the Agency shall have the power to develop plans for, prepare studies and reports, and make recommendations for the Hayward Shoreline. Specifically, HASPA shall have the following powers:

- a. To recommend appropriate revisions or additions to the parties' adopted Shoreline plans and conduct studies related thereto.

- b. To study and prepare recommendations concerning the implementation of the parties' adopted shoreline plans.
- c. To seek funds from public and private sources for the purpose of assisting to achieve the goals of HASPA.
- d. To coordinate the implementation of the parties' adopted policies.
- e. To advise the parties regarding Shoreline issues that may affect the implementation of the parties' adopted plans.
- f. To provide public education on the parties' adopted plans and promote their implementation.
- g. To present positions on legislative matters that affect the Hayward Shoreline.
- h. The Agency is hereby authorized, in its own name, to perform all acts necessary to the fulfillment of its powers, including the following:
  - 1. to make and enter into contracts;
  - 2. to apply for and accept grants, advances and contributions;
  - 3. to employ or contract for the services of planners, financial; consultants, fiscal agents, and such other persons as it deems necessary;
  - 4. to make plans and conduct studies;
  - 5. to acquire, hold or dispose of personal property;
  - 6. to sue and be sued in its own name;
  - 7. to incur debts, liabilities or obligations.

## **Section 5. Organization**

### a. HASPA Board

The Agency shall be governed by the HASPA Board, which shall exercise all powers and authority on behalf of the Agency except as otherwise provided herein. The Board shall be composed of three (3) members who shall be known as trustees. Each party to this Agreement shall appoint a member of its governing body to be a trustee and shall appoint a second member of its governing body to be an alternate trustee to serve in the absence of that party's trustee. Each trustee and alternate shall serve at the pleasure of his or her governing body, but in no event shall either a trustee or alternate trustee serve on the Board if he or she is no longer a member of the governing body of a

party. The trustees shall elect from among themselves such officers and establish therefore such terms, as they deem necessary or desirable. Meetings of the HASPA Board shall be called by the chairperson or by any two (2) other trustees. Written notice of a meeting shall be provided to all trustees at least seven (7) days prior to a meeting. At least two (2) trustees or their alternate must be present for the Board to take any action, except to adjourn from time to time.

b. Technical Advisory Committee

A Technical Advisory Committee shall provide staff support services to the HASPA Board. The Technical Advisory Committee shall be composed of three (3) members. The chief executive officer of each party shall appoint a staff member and an alternate staff member, who shall serve in the absence of the staff member, to act as that party's representative to the Technical Advisory Committee. The chairperson of the HASPA Board shall appoint one member of the Technical Advisory Committee as the chairperson of the committee. The Technical Advisory Committee shall meet at the call of its chairperson or at the call of the chairperson of HASPA. The committee shall review and discuss matters related to the coordination of Shoreline activities and implementation of the parties' adopted Shoreline plans and shall make recommendations to the HASPA Board on these matters. Questions presented to the Technical Advisory Committee shall be resolved upon the basis of one vote for each party represented. The chairperson of the Technical Advisory Committee may invite any person, or group, or agency to participate in the discussions of the Technical Advisory Committee when such participation would aid its deliberations. Without limiting the discretion of the chairperson to extend such invitations, the participation of representatives from Hayward Unified School District, San Lorenzo Unified School District, Alameda County Flood Control and Water Conservation District, Alameda County Mosquito Abatement District, the San Francisco Bay Conservation and Development Commission, State of California Department of Fish and Game, State Coastal Conservancy, the Soil Conservation Service of the United States, Department of Agriculture, the United States Army Corps of Engineers, The United States Fish and

Wildlife Service and the United States Environmental Protection Agency are particularly encouraged.

c. Citizens Advisory Committee

A Citizens Advisory Committee shall advise the HASPA Board concerning the public's interest in the Shoreline and shall carry out those functions concerning promotion of the parties' adopted Shoreline plans as requested by the Board.

The composition of the Citizens Advisory Committee shall be determined by the HASPA Board and the Board shall appoint the members thereof to serve at its pleasure. The Citizens Advisory Committee shall elect a chairperson and vice-chairperson from among its members.

## **Section 6. Budget and Finance**

a. Budget

HASPA may adopt a budget for activities consistent with its powers and may request the contribution of funds for the expenditures included in that budget.

b. Financial Commitments, Debts, and Surplus Funds

HASPA shall not make any financial commitment that requires revenues in excess of those available to it. Under no circumstances shall the debts, liabilities, and obligations of HASPA be the debts, liabilities or obligations of any party to this Agreement. If there is any surplus money on hand following the termination of this Agreement, the surplus shall be returned to the parties that are members of HASPA on the date the Agreement is terminated in proportion to their previous contributions.

## **Section 7. Treasurer, Controller, Accountability, and Access to Property**

a. Treasurer

The treasurer of the Regional Park District shall be the treasurer of HASPA, be the depository, and have custody of all the money of the Agency from whatever source. The treasurer shall:

1. Receive and receipt for all money of the Agency and place it in the treasury of the Treasurer to the credit of HASPA.

2. Be responsible upon his or her official bond for the safekeeping and disbursement of all Agency money, and personal property.
3. Pay, when due, out of money of the Agency, all sums due from the Agency from Agency money, or any portion thereof, only upon warrants of the public officer performing the functions of Controller of the Agency.
4. Verify and report in writing on the first day of July, October, January, and April of each year to the Agency, and to each of the parties, the amount of money held for HASPA, the amount of receipts since the last report, and the amount paid out since the last report.
5. Invest all of the Agency's funds not currently required in the manner provided by law including but not limited to Government Code sections 6509.5 and 53601 and collect interest thereon for account of the Agency.

b. Controller

The controller of the Regional Park District shall be the controller of HASPA. The controller shall draw warrants to pay demands against the Agency when the demands have been duly authorized by the Board.

c. Accountability of Funds

There shall be strict accountability of all HASPA funds and report of all receipts and disbursements and compliance with Article 1, Chapter 5, Division 7, Title 1 of the California Government Code (Section 6500 et seq.). The controller shall either make or arrange for a contract with a certified public accountant or public accountant to make an annual audit of the accounts and records of the Agency. In each case, the audit shall conform to generally accepted auditing standards. The records and accounts of the agency shall be audited annually, and a report thereof shall be filed as a public record with the Board, each party, and the Alameda County Auditor not later than six months following the end of the fiscal year under examination.

d. Access to Property

The treasurer is hereby designated as the person who has charge of, handles, and has access to the property of the Agency.

e. Reporting Requirements in the Absence of HASPA Held Funds

Notwithstanding Section 7(a) - (d) and provisions of Government Code Section 6500 et seq. all parties hereto agree that the reporting and audit requirements of Section 7(a) - (d) shall not apply if HASPA holds no funds under its own name.

**Section 8. Effective Date and Withdrawal of a Party**

This Agreement shall be in full force and effect upon the date of execution by the last party hereto and shall terminate on January 1, 2016, or upon such earlier date, which the parties mutually establish by resolution of their governing bodies. Any party may withdraw from HASPA by resolution of its governing body. The remaining members shall determine the disposition or retention of all funds committed to HASPA.

**Section 9. Severability**

If any one or more of the covenants or agreements set forth in this Agreement should be contrary to any provision of law or contrary to the policy of law to such an extent as to be unenforceable in any court of competent jurisdiction then such covenant or covenants, or such agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements and shall in no way affect the validity of remaining portions of this Agreement.

**Section 10. Counterparts.**

This Agreement may be separately executed in any number of counterparts, and each counterpart signature page and the remainder of this Agreement shall constitute the original Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers.

**EAST BAY REGIONAL PARK DISTRICT**

Date of Approval: \_\_\_\_\_

Resolution No. \_\_\_\_\_

\_\_\_\_\_  
President

\_\_\_\_\_  
Clerk of the Board

**HAYWARD AREA RECREATION AND PARK DISTRICT**

Date of Approval: \_\_\_\_\_

Resolution No. \_\_\_\_\_

\_\_\_\_\_  
President, Board of Directors

\_\_\_\_\_  
Secretary, Board of Directors

**CITY OF HAYWARD, A Municipal Corporation**

Date of Approval: \_\_\_\_\_

Resolution No. \_\_\_\_\_

\_\_\_\_\_  
Fran David, City Manager

\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM**

\_\_\_\_\_  
Michael Lawson, City Attorney

DATE: May 19, 2015

TO: Mayor and City Council

FROM: Director of Information Technology

SUBJECT: Approval of Network Infrastructure System Replacement Agreement

### **RECOMMENDATION**

That Council adopts the attached resolution authorizing the City Manager to execute a five-year lease purchase agreement with Cisco Capital and LookingPoint Inc. for a new network infrastructure system for a total cost not to exceed \$1.775 million.

### **BACKGROUND**

The City has an extensive and complex data/voice network that supports every department and provides computer and telephony systems functionality throughout the enterprise. The existing network infrastructure was last upgraded in 2007. The current system has had various segments and components updated over time but a total upgrade is now necessary. This “forklift” upgrade will position the City for the future and allow for a more stable and flexible system.

### **DISCUSSION**

The purpose of the infrastructure upgrade is to enhance and strengthen our network capabilities to support both data and telephony systems as well as the future network needs of the City. The strengthened network will be more capable of handling voice, video, and data requirements over one heterogeneous (converged) network throughout the enterprise. This upgrade brings together telephone services, data services, and the power of the Internet in a single high-speed, stable, and expandable network, which will serve as the foundation for future expansion of the City’s technology systems.

Information Technology Department staff undertook a systematic process to identify Network Infrastructure system manufacturers considered to be the industry leaders. Factors such as product performance, years of industry experience, resource commitments and recommendations from similar vertical market peer groups were used as benchmarks in a pre-qualification process.

On February 9, 2015, the City issued a Request for Proposals (RFP) to qualified companies to design, install, and configure a complete Network Infrastructure system. A mandatory pre-bid conference was held on February 23, 2015, and seven qualified vendors attended.

In accordance with the instructions and specifications contained within the RFP, the selected proposers were required to design, equip, implement and provide systems administrator training for a lump sum purchase price, with lease/purchase options. The City sought a network infrastructure system that will provide the most cost effective, technologically advanced solution.

The RFP also required that any proposed system accommodate the current and future network requirements of all City operations, employees, and systems. Additionally, the new system must provide City personnel and operations with an advanced data/voice system that is 99.999% reliable, is able to support their public service, health & safety missions, emergency services, and expedited disaster recovery situations.

The City received two responses to the RFP by the March 27, 2015 deadline. Of the two responses, only one response was deemed fully qualified to meet the requirements. The two responding vendors were SmartWave and LookingPoint. Both vendors attended the mandatory pre-bid conference.

The SmartWave proposal included replacement of existing network equipment only, and not the required redesign requested in the RFP, thus not planning for future needs. It also omitted responses to questions regarding voice network compatibility, stating that this was not a voice network, which is incorrect. Finally, all references supplied were for single-building installations which are not comparable to our current network.

The LookingPoint proposal met the requirement to redesign the network, planning for future needs, and included all features and functions requested. LookingPoint supplied required references for comparable governmental organizations.

## FISCAL IMPACT

The FY 2015 – FY 2024 Capital Improvement Program (CIP) includes project funding totaling \$2.1 million over 5 years. The pricing of both proposals was within the budgeted amount.

RFP Evaluation Results				
Vendor	Met Requirement: Designed for Future Growth	Met Requirement: Comparable References	Qualified Bid	Pricing
LookingPoint	Yes	Yes	Yes	\$1,626,899.26
SmartWave	No	No	No	\$ 784,876.08

As noted above, the bid supplied by SmartWave did not include all of the requirements outlined in the RFP, which were included by Lookingpoint.

The overall costs for all components of the infrastructure upgrade were refined during final vendor negotiations with LookingPoint. Staff requested that the network management hardware and software included in the original proposal be upgraded to allow better security and monitoring of the new network infrastructure by staff. Because of this change, the updated contract amount with LookingPoint is \$1,699,355.80

The RFP requested that proposers include optional five-year lease purchase financing of equipment, installation, and maintenance. LookPoint proposed five-year financing provided by Cisco, the manufacturer of the equipment. Staff is recommending this five-year lease/purchase at a competitive rate, which allows expenditures to be spread over five years. Although staff repeatedly sought a 0% lease rate from Cisco Capital, due to the deep discounting (61%) of the hardware pricing in the proposal, the most competitive rate negotiated was 2.18%. This low rate is comparable to what is currently available on the open market.

Therefore, the cost of the five-year financing is \$74,092.65, which is offset by the much lower negotiated purchase price. The annual payment amount of \$354,689.69 (principal and interest) is within the annual amount budgeted within the CIP. The total purchase price, inclusive of the low interest financing is \$1,773,448.45.

**Cost\Payment Summary**

Purchase price over five years	\$1,699,355.80
Financing Costs	<u>\$74,092.65</u>
<b>Total</b>	<b>\$1,773,448.45</b>
(Paid in five annual payments of \$354,689.69 each)	

**PUBLIC CONTACT**

On April 15, 2015, staff provided an overview of this project to the Council Technology Application Committee (CTAC) . Staff described the procurement process, the analysis, and results described above, and made the recommendation that Council authorize the City Manager to negotiate and execute an agreement with LookingPoint to design, install and configure a complete network infrastructure system. CTAC was in support of the project and staff’s recommendations.

**NEXT STEPS**

If Council authorizes the City Manager to execute this lease purchase agreement, staff will execute the necessary lease purchase documents to procure the equipment and complete the installation. Project kickoff would commence in June 2015 with an anticipated go-live date of November 2015.

*Prepared by:* Carolyn Saputo, Information Technology Manager - Infrastructure

*Recommended by:* Mark Guenther, Information Technology Director

*Approved by:*




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Fran David, City Manager

**Attachments:**

Attachment I: Resolution

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH LOOKINGPOINT TO PROVIDE NEW NETWORK INFRASTRUCTURE SYSTEM AND ANCILLARY EQUIPMENT AND EXECUTION OF A FIVE-YEAR LEASE AGREEMENT FOR SAID INFRASTRUCTURE WITH CISCO CAPITAL.

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute an agreement with LookingPoint for the purchase and installation of network infrastructure equipment, and an agreement with Cisco Capital for a five-year lease/purchase for said equipment, in an amount not to exceed \$1,775,000, both in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2015

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST:  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

**DATE:** May 19, 2015  
**TO:** Mayor and City Council  
**FROM:** Director of Utilities & Environmental Services  
**SUBJECT:** Cast Iron Water Pipeline Replacement Project: Award of Construction Contract

### **RECOMMENDATION**

That the City Council adopts the attached resolution that:

1. Approves Addendum No. 1 providing minor revisions to the Plans and Specifications; and
2. Awards contract to California Trenchless, Inc. in the amount of \$1,158,040

### **BACKGROUND**

This project is part of a continuing program to maintain and upgrade the City's water distribution system. The City has approximately 346 miles of water distribution pipeline, of which approximately twenty-one miles (6%) is cast iron (CI) pipe installed between 1926 and 1992. CI pipe has a design life of roughly fifty years, although this varies based on manufacturing date, type of soil, quality of original construction, depth of pipe, vehicular traffic, and the like. As shown on Attachment II, the CI water mains selected by staff to be replaced at this time are Dean Street (Sutro Street to D Street), Lucien Way, Orchard Avenue (Lucien Way to Tioga Road), Park Street (Winton Avenue to Meek Avenue), Park Street/Glade Street Easement, and Pleasant Way. These mains are on average sixty-four years old.

On March 24, 2015, Council approved the plans and specifications for the project and called for bids to be received on April 28, 2015.

### **DISCUSSION**

This project will replace and upgrade water mains with new Polyvinylchloride (PVC) or Ductile Iron (DI) water mains and new service connection pipes at the locations shown on Attachment II. The pipeline replacements on this project consist of replacing 960 feet of twelve inch CI pipes with new twelve inch pipes and replacing 4,550 feet of substandard four inch and six inch CI pipes with new eight inch water mains to improve reliability, fire flow, and minimize future maintenance needs.

On April 28, 2015, the City received eight bids. California Trenchless, Inc. submitted the low bid in the amount of \$1,158,040, which is approximately 16% below the Engineer’s Estimate of \$1,379,000. JMB Construction, Inc. submitted the second lowest bid in the amount of \$1,351,530. The bids ranged from \$1,158,040 to \$1,665,720.

All bid documents and licenses are in order. Staff recommends award of contract to the low bidder, California Trenchless, Inc., in the amount of \$1,158,040.

**ENVIRONMENTAL REVIEW**

This pipeline replacement project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA). The Public Resources Code states that CEQA does not apply to any project of less than one mile in length within a public street or highway or any other public right-of-way for the installation of a new pipeline or the maintenance, repair, restoration, reconditioning, replacement, removal, or demolition of an existing pipeline.

**FISCAL AND ECONOMIC IMPACT**

The estimated project costs are as follows:

Design and Construction Administration – City Staff	70,000
Construction Contract	1,158,040
Inspection and Testing	<u>40,000</u>
Total	\$1,268,040

The FY 2015 Capital Improvement Program includes \$1,988,000 for the “Cast Iron Water Pipeline Replacement” project in the Water System Replacement Capital Improvement Fund. The CIP Project envisions other related work as well, some of which is being done by City staff.

**PUBLIC CONTACT**

Staff has obtained the needed Right-of-Entry from affected property owners. In addition, notices will be provided to affected residents, property and business owners to inform them of the nature and purpose of the work, potential impacts, work schedule and City contact for additional information. Water customers shall be notified of planned temporary water service interruption several times prior to shutdown of water service: three days before; twenty-four hours before; and at least one hour prior to shutdown of water service. The service shutdowns will only occur between 9:00 a.m. and 4:00 p.m., and should last no more than two hours.

**SCHEDULE**

Begin Work	June 2015
Complete Work	October 2015

*Prepared by:* Rod Schurman, P.E., Associate Civil Engineer

*Recommended by:* Alex Ameri, Director of Utilities & Environmental Services

Approved by:



---

Fran David, City Manager

Attachments:

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

HAYWARD CITY COUNCIL

RESOLUTION NO. 15-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION AWARDING THE CONTRACT FOR THE CAST IRON WATER PIPELINE REPLACEMENT PROJECT, PROJECT NO. 07005, TO CALIFORNIA TRENCHLESS, INC.

WHEREAS, by resolution 15-043 on March 24, 2015, the City Council approved the plans and specifications for the Cast Iron Water Pipeline Replacement Project, Project No. 07005, and called for bids to be received on April 28, 2015; and

WHEREAS, Addendum No. 1 was issued to make minor revisions to the plans and specifications; and

WHEREAS, on April 28, 2015, eight (8) bids were received ranging from \$1,158,040 to \$1,665,720; California Trenchless, Inc., of Hayward, CA submitted the low bid in the amount of \$1,158,040, which is 16 percent below the Engineer's Estimate of \$1,379,000;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that Addendum No. 1 is hereby approved and adopted as part of the plans and specifications for the project.

BE IT FURTHER RESOLVED that California Trenchless, Inc., is hereby awarded the contract for the Cast Iron Water Pipeline Replacement Project, Project No. 07005, in accordance with the plans and specifications adopted therefore and on file in the office of the City Clerk of the City of Hayward, at and for the price named and stated in the final proposal of the hereinabove specified bidder, and all other bids are hereby rejected.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute an agreement with California Trenchless, Inc., in the name of and for and on behalf of the City of Hayward, in an amount not to exceed \$1,158,040, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2015

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

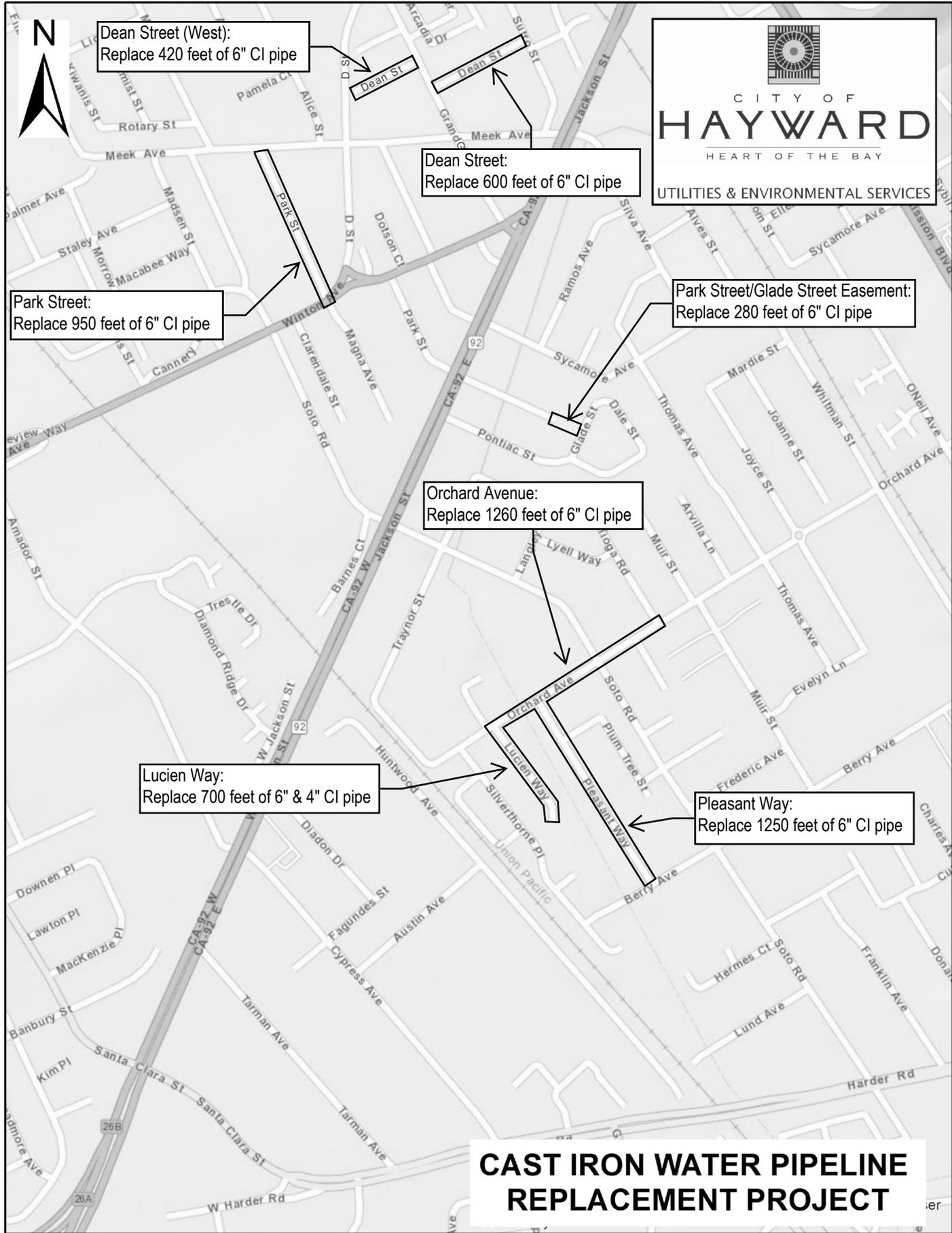
ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward



# BID SUMMARY

**CITY OF HAYWARD, Utilities & Environmental Services**

CONSTRUCTION OF: **Cast Iron Water Main Replacement Project**

PROJECT NO. : **07005/07163**

NO. BIDS OPENED: **Eight(8) on 04/28/2015 @ 2:00PM**

NO. BIDS RECEIVED: **Eight(8)**

<b>BID ITEMS</b>				<b>ENGINEER'S ESTIMATE</b>		<b>California Trenchless, Inc.</b> 2283 Dunn Road Hayward, CA 94545 (510) 782-5335 (510) 266-1543		<b>JMB Construction, Inc.</b> 132 South Maple Avenue South San Francisco, CA 94080 (650) 267-5300 (650) 267-5302	
ITEM	DESCRIPTION	QTY.	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization	1	L.S.	50,000.00	50,000.00	20,000.00	20,000.00	65,000.00	65,000.00
2	Traffic Control	1	L.S.	40,000.00	40,000.00	10,000.00	10,000.00	46,000.00	46,000.00
3	Trench Shoring and Trench Safety	1	L.S.	25,000.00	25,000.00	20,000.00	20,000.00	11,000.00	11,000.00
4	Pavement Replacement and Restoration	870	Ton	175.00	152,250.00	155.00	134,850.00	200.00	174,000.00
5	Abandon Existing Water Main	35	EA	900.00	31,500.00	110.00	3,850.00	1,400.00	49,000.00
6	Abandon Existing Water Valve	18	EA	500.00	9,000.00	150.00	2,700.00	800.00	14,400.00
7	Remove Existing Water Valve	2	EA	500.00	1,000.00	200.00	400.00	900.00	1,800.00
8	Abandon Existing Blowoff	1	EA	500.00	500.00	250.00	250.00	1,300.00	1,300.00
9	Remove Existing Blowoff for Connection	3	EA	1,500.00	4,500.00	250.00	750.00	850.00	2,550.00
10	Install 12-inch Water Pipe	960	L.F.	145.00	139,200.00	150.00	144,000.00	118.00	113,280.00
11	Install 8-inch Water Pipe	4,510	L.F.	115.00	518,650.00	114.00	514,140.00	105.00	473,550.00
12	Install 6-inch Water Pipe or FH Run	85	L.F.	200.00	17,000.00	150.00	12,750.00	300.00	25,500.00
13	Install 4-inch Water Pipe, Fire Service	20	L.F.	250.00	5,000.00	150.00	3,000.00	180.00	3,600.00
14	Install 12-Inch Valve	1	EA	2,700.00	2,700.00	2,600.00	2,600.00	3,300.00	3,300.00
15	Install 8-Inch Valve	15	EA	1,750.00	26,250.00	1,500.00	22,500.00	2,200.00	33,000.00
16	Install 6-Inch Valve	4	EA	1,500.00	6,000.00	1,100.00	4,400.00	1,800.00	7,200.00
17	Install 4-Inch Valve	1	EA	1,000.00	1,000.00	1,000.00	1,000.00	1,600.00	1,600.00
18	Install Fire Hydrant	4	EA	3,000.00	12,000.00	2,600.00	10,400.00	3,000.00	12,000.00
19	Utility Locating	9	EA	770.00	6,930.00	500.00	4,500.00	800.00	7,200.00
20	Connect to Exist. Service (Type A, 5'±)	106	EA	1,000.00	106,000.00	700.00	74,200.00	975.00	103,350.00
21	Connect to Existing Service (Type B, 10'±)	12	EA	1,500.00	18,000.00	900.00	10,800.00	1,300.00	15,600.00
22	Connect to Existing Service (Type C, 20'±)	28	EA	2,000.00	56,000.00	1,400.00	39,200.00	1,700.00	47,600.00
23	Connect to Existing Service (Type D, 25'±)	9	EA	3,000.00	27,000.00	1,650.00	14,850.00	2,200.00	19,800.00
24	Connect to Existing Service (Type E, 30'±)	2	EA	3,260.00	6,520.00	2,000.00	4,000.00	2,750.00	5,500.00
25	Restore Private/Public Improvements	1	L.S.	15,000.00	15,000.00	1,500.00	1,500.00	12,000.00	12,000.00
26	Restore Survey Monuments	1	EA	2,000.00	2,000.00	1,400.00	1,400.00	2,400.00	2,400.00
27	Administrative Change Orders	1	L.S.	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00
<b>TOTALS:</b>				<b>1,379,000.00</b>		<b>1,158,040.00</b>		<b>1,351,530.00</b>	

# BID SUMMARY

**CITY OF HAYWARD, Utilities & Environmental Services**

CONSTRUCTION OF: **Cast Iron Water Main Replacement Project**

PROJECT NO. : **07005/07163**

NO. BIDS OPENED: **Eight(8) on 04/28/2015 @ 2:00PM**

NO. BIDS RECEIVED: **Eight(8)**

<b>BID ITEMS</b>				<b>ENGINEER'S ESTIMATE</b>		<b>Cratus, Inc.</b>		<b>WR Forde Associates</b>	
						945 Taraval St #302 San Francisco, CA 94116 (415) 559-1325		984 Hensley St Richmond, CA 94801 (510) 215-9338 (510) 215-9867	
ITEM	DESCRIPTION	QTY.	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization	1	L.S.	50,000.00	50,000.00	30,000.00	30,000.00	100,000.00	100,000.00
2	Traffic Control	1	L.S.	40,000.00	40,000.00	10,000.00	10,000.00	50,000.00	50,000.00
3	Trench Shoring and Trench Safety	1	L.S.	25,000.00	25,000.00	5,000.00	5,000.00	50,000.00	50,000.00
4	Pavement Replacement and Restoration	870	Ton	175.00	152,250.00	140.00	121,800.00	160.00	139,200.00
5	Abandon Existing Water Main	35	EA	900.00	31,500.00	1,000.00	35,000.00	800.00	28,000.00
6	Abandon Existing Water Valve	18	EA	500.00	9,000.00	1,000.00	18,000.00	500.00	9,000.00
7	Remove Existing Water Valve	2	EA	500.00	1,000.00	1,250.00	2,500.00	500.00	1,000.00
8	Abandon Existing Blowoff	1	EA	500.00	500.00	1,250.00	1,250.00	500.00	500.00
9	Remove Existing Blowoff for Connection	3	EA	1,500.00	4,500.00	1,250.00	3,750.00	500.00	1,500.00
10	Install 12-inch Water Pipe	960	L.F.	145.00	139,200.00	145.00	139,200.00	197.00	189,120.00
11	Install 8-inch Water Pipe	4,510	L.F.	115.00	518,650.00	124.00	559,240.00	120.00	541,200.00
12	Install 6-inch Water Pipe or FH Run	85	L.F.	200.00	17,000.00	130.00	11,050.00	150.00	12,750.00
13	Install 4-inch Water Pipe, Fire Service	20	L.F.	250.00	5,000.00	200.00	4,000.00	150.00	3,000.00
14	Install 12-Inch Valve	1	EA	2,700.00	2,700.00	2,500.00	2,500.00	3,500.00	3,500.00
15	Install 8-Inch Valve	15	EA	1,750.00	26,250.00	1,350.00	20,250.00	1,800.00	27,000.00
16	Install 6-Inch Valve	4	EA	1,500.00	6,000.00	1,250.00	5,000.00	1,200.00	4,800.00
17	Install 4-Inch Valve	1	EA	1,000.00	1,000.00	750.00	750.00	1,000.00	1,000.00
18	Install Fire Hydrant	4	EA	3,000.00	12,000.00	3,500.00	14,000.00	4,500.00	18,000.00
19	Utility Locating	9	EA	770.00	6,930.00	1,000.00	9,000.00	1,200.00	10,800.00
20	Connect to Exist. Service (Type A, 5'±)	106	EA	1,000.00	106,000.00	1,750.00	185,500.00	700.00	74,200.00
21	Connect to Existing Service (Type B, 10'±)	12	EA	1,500.00	18,000.00	1,900.00	22,800.00	900.00	10,800.00
22	Connect to Existing Service (Type C, 20'±)	28	EA	2,000.00	56,000.00	1,800.00	50,400.00	1,100.00	30,800.00
23	Connect to Existing Service (Type D, 25'±)	9	EA	3,000.00	27,000.00	1,800.00	16,200.00	1,300.00	11,700.00
24	Connect to Existing Service (Type E, 30'±)	2	EA	3,260.00	6,520.00	1,950.00	3,900.00	1,600.00	3,200.00
25	Restore Private/Public Improvements	1	L.S.	15,000.00	15,000.00	5,000.00	5,000.00	25,000.00	25,000.00
26	Restore Survey Monuments	1	EA	2,000.00	2,000.00	3,000.00	3,000.00	1,500.00	1,500.00
27	Administrative Change Orders	1	L.S.	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00
<b>TOTALS:</b>				<b>1,379,000.00</b>		<b>1,379,090.00</b>		<b>1,447,570.00</b>	

# BID SUMMARY

**CITY OF HAYWARD, Utilities & Environmental Services**

CONSTRUCTION OF: **Cast Iron Water Main Replacement Project**

PROJECT NO. : **07005/07163**

NO. BIDS OPENED: **Eight(8) on 04/28/2015 @ 2:00PM**

NO. BIDS RECEIVED: **Eight(8)**

<b>BID ITEMS</b>				<b>ENGINEER'S ESTIMATE</b>		<b>D&amp;D Pipelines, Inc.</b> 629 Divisadero St San Francisco, CA 94117 (415) 441-2006		<b>Ranger Pipelines</b> 1790 Yosemite Avenue San Francisco, CA 94124 (415) 822-3700	
ITEM	DESCRIPTION	QTY.	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization	1	L.S.	50,000.00	50,000.00	180,000.00	180,000.00	70,000.00	70,000.00
2	Traffic Control	1	L.S.	40,000.00	40,000.00	60,000.00	60,000.00	10,000.00	10,000.00
3	Trench Shoring and Trench Safety	1	L.S.	25,000.00	25,000.00	50,000.00	50,000.00	20,000.00	20,000.00
4	Pavement Replacement and Restoration	870	Ton	175.00	152,250.00	240.00	208,800.00	120.00	104,400.00
5	Abandon Existing Water Main	35	EA	900.00	31,500.00	500.00	17,500.00	100.00	3,500.00
6	Abandon Existing Water Valve	18	EA	500.00	9,000.00	300.00	5,400.00	100.00	1,800.00
7	Remove Existing Water Valve	2	EA	500.00	1,000.00	1,000.00	2,000.00	150.00	300.00
8	Abandon Existing Blowoff	1	EA	500.00	500.00	500.00	500.00	100.00	100.00
9	Remove Existing Blowoff for Connection	3	EA	1,500.00	4,500.00	1,000.00	3,000.00	200.00	600.00
10	Install 12-inch Water Pipe	960	L.F.	145.00	139,200.00	120.00	115,200.00	180.00	172,800.00
11	Install 8-inch Water Pipe	4,510	L.F.	115.00	518,650.00	100.00	451,000.00	170.00	766,700.00
12	Install 6-inch Water Pipe or FH Run	85	L.F.	200.00	17,000.00	200.00	17,000.00	100.00	8,500.00
13	Install 4-inch Water Pipe, Fire Service	20	L.F.	250.00	5,000.00	200.00	4,000.00	100.00	2,000.00
14	Install 12-Inch Valve	1	EA	2,700.00	2,700.00	3,000.00	3,000.00	1,500.00	1,500.00
15	Install 8-Inch Valve	15	EA	1,750.00	26,250.00	2,000.00	30,000.00	1,000.00	15,000.00
16	Install 6-Inch Valve	4	EA	1,500.00	6,000.00	2,000.00	8,000.00	600.00	2,400.00
17	Install 4-Inch Valve	1	EA	1,000.00	1,000.00	1,500.00	1,500.00	600.00	600.00
18	Install Fire Hydrant	4	EA	3,000.00	12,000.00	10,000.00	40,000.00	5,000.00	20,000.00
19	Utility Locating	9	EA	770.00	6,930.00	500.00	4,500.00	200.00	1,800.00
20	Connect to Exist. Service (Type A, 5'±)	106	EA	1,000.00	106,000.00	600.00	63,600.00	1,000.00	106,000.00
21	Connect to Existing Service (Type B, 10'±)	12	EA	1,500.00	18,000.00	1,000.00	12,000.00	1,100.00	13,200.00
22	Connect to Existing Service (Type C, 20'±)	28	EA	2,000.00	56,000.00	2,000.00	56,000.00	1,400.00	39,200.00
23	Connect to Existing Service (Type D, 25'±)	9	EA	3,000.00	27,000.00	2,500.00	22,500.00	1,500.00	13,500.00
24	Connect to Existing Service (Type E, 30'±)	2	EA	3,260.00	6,520.00	3,000.00	6,000.00	1,800.00	3,600.00
25	Restore Private/Public Improvements	1	L.S.	15,000.00	15,000.00	20,000.00	20,000.00	5,000.00	5,000.00
26	Restore Survey Monuments	1	EA	2,000.00	2,000.00	500.00	500.00	600.00	600.00
27	Administrative Change Orders	1	L.S.	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00
<b>TOTALS:</b>					<b>1,379,000.00</b>		<b>1,482,000.00</b>		<b>1,483,100.00</b>

# BID SUMMARY

**CITY OF HAYWARD, Utilities & Environmental Services**

CONSTRUCTION OF: **Cast Iron Water Main Replacement Project**

PROJECT NO. : **07005/07163**

NO. BIDS OPENED: **Eight(8) on 04/28/2015 @ 2:00PM**

NO. BIDS RECEIVED: **Eight(8)**

<b>BID ITEMS</b>				<b>ENGINEER'S ESTIMATE</b>		<b>Agbayani Construction</b>		<b>Con-Quest Contractors, Inc.</b>	
						88 Dixon court Daly City, CA 94014 (415) 221-2065 (415) 665-9470		290 Toland Street San Francisco, CA 94124 (415) 206-0524 (415) 206-0528	
ITEM	DESCRIPTION	QTY.	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization	1	L.S.	50,000.00	50,000.00	71,000.00	71,000.00	160,000.00	160,000.00
2	Traffic Control	1	L.S.	40,000.00	40,000.00	95,000.00	95,000.00	25,000.00	25,000.00
3	Trench Shoring and Trench Safety	1	L.S.	25,000.00	25,000.00	28,708.06	28,708.06	10,000.00	10,000.00
4	Pavement Replacement and Restoration	870	Ton	175.00	152,250.00	191.86	166,918.20	200.00	174,000.00
5	Abandon Existing Water Main	35	EA	900.00	31,500.00	1,025.23	35,883.05	1,500.00	52,500.00
6	Abandon Existing Water Valve	18	EA	500.00	9,000.00	1,048.22	18,867.96	1,750.00	31,500.00
7	Remove Existing Water Valve	2	EA	500.00	1,000.00	4,289.03	8,578.06	1,750.00	3,500.00
8	Abandon Existing Blowoff	1	EA	500.00	500.00	8,408.06	8,408.06	1,750.00	1,750.00
9	Remove Existing Blowoff for Connection	3	EA	1,500.00	4,500.00	3,418.35	10,255.05	1,250.00	3,750.00
10	Install 12-inch Water Pipe	960	L.F.	145.00	139,200.00	161.33	154,876.80	167.00	160,320.00
11	Install 8-inch Water Pipe	4,510	L.F.	115.00	518,650.00	123.47	556,849.70	145.00	653,950.00
12	Install 6-inch Water Pipe or FH Run	85	L.F.	200.00	17,000.00	316.68	26,917.80	180.00	15,300.00
13	Install 4-inch Water Pipe, Fire Service	20	L.F.	250.00	5,000.00	620.42	12,408.40	185.00	3,700.00
14	Install 12-Inch Valve	1	EA	2,700.00	2,700.00	10,208.06	10,208.06	3,250.00	3,250.00
15	Install 8-Inch Valve	15	EA	1,750.00	26,250.00	2,162.88	32,443.20	2,250.00	33,750.00
16	Install 6-Inch Valve	4	EA	1,500.00	6,000.00	3,027.03	12,108.12	2,000.00	8,000.00
17	Install 4-Inch Valve	1	EA	1,000.00	1,000.00	8,708.06	8,708.06	1,500.00	1,500.00
18	Install Fire Hydrant	4	EA	3,000.00	12,000.00	4,627.02	18,508.08	3,500.00	14,000.00
19	Utility Locating	9	EA	770.00	6,930.00	1,721.45	15,493.05	700.00	6,300.00
20	Connect to Exist. Service (Type A, 5'±)	106	EA	1,000.00	106,000.00	847.75	89,861.50	725.00	76,850.00
21	Connect to Existing Service (Type B, 10'±)	12	EA	1,500.00	18,000.00	2,441.31	29,295.72	925.00	11,100.00
22	Connect to Existing Service (Type C, 20'±)	28	EA	2,000.00	56,000.00	474.29	13,280.12	1,200.00	33,600.00
23	Connect to Existing Service (Type D, 25'±)	9	EA	3,000.00	27,000.00	4,656.45	41,908.05	1,300.00	11,700.00
24	Connect to Existing Service (Type E, 30'±)	2	EA	3,260.00	6,520.00	3,854.03	7,708.06	1,450.00	2,900.00
25	Restore Private/Public Improvements	1	L.S.	15,000.00	15,000.00	10,008.06	10,008.06	65,000.00	65,000.00
26	Restore Survey Monuments	1	EA	2,000.00	2,000.00	7,000.00	7,000.00	2,500.00	2,500.00
27	Administrative Change Orders	1	L.S.	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00
<b>TOTALS:</b>				<b>1,379,000.00</b>		<b>1,591,201.22</b>		<b>1,665,720.00</b>	

**DATE:** May 19, 2015  
**TO:** Mayor and City Council  
**FROM:** Director of Utilities & Environmental Services  
**SUBJECT:** Conversion of Existing Gravity Thickener to New Primary Clarifier at Water Pollution Control Facility: Award of Contract and Appropriation of Funds

**RECOMMENDATION**

That the City Council adopts the attached resolutions (Attachments I & II):

1. Approving Addendums Nos. 1 and 2, providing minor revisions to the Plans and Specifications, rejecting the bid protest by Western Water Constructors, Inc. and awarding the contract to Mountain Cascade Inc., in the amount of \$2,993,824; and
2. Appropriating an additional \$898,824 for this project from the Sewer System Improvement Fund.

**SUMMARY**

The 2001 Water Pollution Control Facility (WPCF) Master Plan (prepared by Brown and Caldwell) recommended constructing a fourth primary clarifier at the WPCF to ensure adequate capacity to handle both current peak wet weather flows, as well as future wastewater flows. Primary clarifiers are tanks used in the wastewater treatment process to settle sludge while grease and oils rise to the surface and are skimmed off. The Primary Clarifier Conversion Project converts an existing abandoned gravity thickener for reuse as the fourth primary clarifier. The project also includes concrete coating for one of the existing primary clarifiers and the primary influent distribution structure, as well as a new electrical building and pump station. The attached resolutions would approve addendums to the project plans and specifications, award the contract to Mountain Cascade Inc. and appropriate an additional \$898,824 for the project.

**BACKGROUND**

The WPCF currently provides primary (stage one) followed by secondary (stage two) wastewater treatment. In order to provide adequate primary treatment under peak wet weather flows and to accommodate future projected wastewater flows, an additional primary clarifier is required. The new clarifier will be constructed by converting the existing, out of service, gravity thickener structure to a new clarifier. Also included in the project is construction of a new electrical building located on an adjacent slab near to the new clarifier, partial demolition and retrofit of the existing gravity thickener structure to convert it to a primary clarifier, coating of the interior of the structure to enhance its performance over the long term, and coating of the concrete and steel of an existing

primary clarifier (the Northwest Primary Clarifier). The planned Northwest Primary Clarifier Rehabilitation Project is included with the Primary Clarifier Conversion project due to similar scopes of work and reduced effort to include design of the coatings for both clarifiers rather than doing one at a time. The Northwest Primary Clarifier is the last of the three existing clarifiers to undergo a retrofit in recent years. The retrofit is necessary to prolong the life of the structure and the equipment.

On March 3, 2015, Council approved the plans and specifications for the project and called for bids to be received on April 7, 2015. However, at the request of bidders, the bid date was postponed by two weeks due to competing bid openings of like projects elsewhere; as a result, the bids were received on April 21, 2015

## **DISCUSSION**

On April 21, 2015, the City received six bids for the project. Mountain Cascade Inc. submitted the low bid in the amount of \$2,993,824, which is approximately 12.9% above the Engineer's Estimate of \$2,651,700. Western Water Constructors Inc. submitted the second lowest bid in the amount of \$3,107,000. The bids ranged from \$2,993,824 to \$3,730,000.

On April 27, 2015 the City received a bid protest from Western Water directed at the low bid by Mountain Cascade. Western Water's protest was based on the following:

- (1) Mountain Cascade failed to list a subcontractor for the "Crack Injection For Structures" portion of the work in violation of Public Contract Code Section 4104; and
- (2) Mountain Cascade failed to list a subcontractor for the Engineered Metal Buildings portion of the work in violation of Public Contract Code Section 4104.

Staff reviewed the bid protest and requested responsive information from Mountain Cascade. With respect to the first contention, staff determined that the "Crack Injection for Structures" portion of the project would be completed by Watertight Restoration, Inc. a sub-contractor to Redwood Painting, which was designated as a sub-contractor on the bid form in compliance with the Public Contract Code. Mountain Cascade has provided the quote and supporting qualifications for Watertight Restoration in compliance with the project specifications. Pursuant to Public Contract Code Section 4113, a "subcontractor" is a contractor who contracts directly with the prime contractor. Watertight Restoration is not a sub-contractor under the definition of Public Contract Code Section 4113 and does not have to be listed.

With respect to the second contention related to the "Engineered Metal Buildings" portion of the project, Mountain Cascade proposed to have the structure pre-fabricated off-site and installed in place by Mountain Cascade's forces. Thus, this is a material purchase. Public Contract Code Section 4104 does not require listing of material suppliers or sub-contractors who fabricate but do not install a portion of the work. Under these circumstances Mountain Cascade did not violate the Public Contract Code by not listing a sub-contractor to do this work. Mountain Cascade has provided qualifications for the installation that are in compliance with project specifications.

Based on the above discussion, staff recommends that the bid protest by Western Water be rejected. All bid documents and licenses are in order and staff recommends award of contract to the lowest bidder, Mountain Cascade Inc., in the amount of \$2,993,824.

## **ENVIRONMENTAL REVIEW**

The primary clarifier conversion and coatings work described above is categorically exempt from environmental review under the California Environmental Quality Act (CEQA), Section 15301, Existing Facilities, which consists of “the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.”

## **FISCAL AND ECONOMIC IMPACT**

The estimated project costs are as follows:

<u>Total Project Cost</u>	
Design and Engineering Services during Construction (Consultant)	\$395,000
Design Administration (City Staff)	\$70,000
Construction of Primary Clarifier Conversion (Contractor)	\$2,993,824
Inspection and Testing (City Staff & Outside lab)	\$100,000
Total	<u>\$3,558,824</u>

The FY15 Capital Improvement Program (CIP) includes \$2,660,000 for this project in the Wastewater Improvement Fund (\$2,430,000 in FY 2015 for Primary Clarifier Conversion project and \$230,000 in FY 2014 for northwest primary clarifier coating). These figures were planning figure estimates without the benefit of complete design. Based on the Engineer’s Estimate prepared at the completion of the project design, staff determined that the project would need additional funding. However, staff did not request an additional appropriation at the call for bids stage because the exact funding augmentation need depended on the low bid, which was not known at that time. Now that the bids have been received, an additional \$898,824 is needed to complete the project. Staff recommends Council approve the attached resolution (Attachment II) appropriating \$898,824 from the Sewer System Improvement Fund. Adequate fund balance is available to cover the necessary appropriation.

Staff has examined the bids and compared them to the Engineer’s Estimate. It appears that the Engineer may have underestimated the level of effort for the demolition work by approximately \$200,000. Estimating the effort for demolition of the existing roof structure is difficult due to the unusual nature of the work, and the assumptions that go into the means and methods of how a contractor would execute this work. The Engineer’s Estimate also underestimated the level of effort for coating the existing clarifier and clarifier mechanism. The cost for coating the existing concrete surfaces may be higher in part due to the level of concrete repair required to rehabilitate existing corroded surfaces prior to coating.

Staff has confidence that the lowest bid is a competitive amount despite being 12.9% over the Engineer's Estimate amount based on staff's examination of the bids as stated above, and based on the fact that the project received six bids, despite being a specialized and technical project.

**PUBLIC CONTACT**

Notices will be provided to affected property and business owners to inform them of the nature and purpose of the work, potential impacts, work schedule and City contact for additional information. In addition, the Contractor for the Whitesell Project was notified that the City would be starting construction on this project, and that they must maintain access at all times for construction access to the WPCF site.

**SCHEDULE**

Begin Work	June 2015
Complete Work	May 2016

*Prepared by:* Suzan England, P.E., Senior Utilities Engineer

*Recommended by:* Alex Ameri, Director of Utilities & Environmental Services

Approved by:



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Fran David, City Manager

Attachments:

Attachment I	Resolution – Award of Contract
Attachment II	Resolution – Appropriation of Funds
Attachment III	Bid Summary

HAYWARD CITY COUNCIL

RESOLUTION NO. 15-

Introduced by Council Member \_\_\_\_\_

RESOLUTION AWARDING CONTRACT TO MOUNTAIN CASCADE INC., FOR THE CONVERSION OF EXISTING GRAVITY THICKENER TO NEW PRIMARY CLARIFIER PROJECT AT WATER POLLUTION CONTROL FACILITY, PROJECT NO. 07515.

WHEREAS, by Resolution No. 15-032 on March 3, 2015, the City Council approved the plans and specifications for the Conversion of Existing Gravity Thickener to New Primary Clarifier Project at the Water Pollution Control Facility, Project No. 07515, and called for bids to be received on April 7, 2015; and

WHEREAS, the bid date was postponed by two weeks due to competing bid openings of like projects, as a result, the bids were received on April 21, 2015; and

WHEREAS, Addendum Nos. 1 and 2 were issued to make minor revisions to the plans and specifications; and

WHEREAS, on April 21, 2015, six (6) bids were received ranging from \$2,993,824 to \$3,730,000. The low bid, submitted by Mountain Cascade Inc., of Livermore, is approximately 12.9 percent above the engineer's estimate of \$2,651,700; and

WHEREAS, the City received a bid protest from Western Water Constructors, Inc. on April 27, 2015 that contended that Mountain Cascade's bid failed to list sub-contractors for the "Crack Injection for Structures" portion of the project and the "Engineered Metal Buildings" portion of the project in violation of the Public Contract Code's Subcontractor Listing provisions; and

WHEREAS, staff reviewed the bid submitted by Mountain Cascade as well as materials and information submitted by Mountain Cascade in response to the protest; and

WHEREAS, staff determined that Mountain Cascade's bid complies with the requirements of the Public Contract Code's Subcontractor Listing provisions in that the "Crack Injection for Structures" portion of the project will be performed by Watertight Restoration, Inc. a sub-contractor to Redwood Painting, which was designated as a sub-contractor on the bid form in compliance with the Public Contract Code; and

WHEREAS, Watertight Restoration is not a sub-contractor under the definition of Public Contract Code section 4113 and does not have to be listed; and

WHEREAS, staff determined that Mountain Cascade's bid complies with the requirements of the Public Contract Code's Subcontractor Listing provisions in that the

“Engineered Metal Buildings” portion of the project will be pre-fabricated off-site and installed in place by Mountain Cascade’s forces, thus, rendering it a material purchase for which no sub-contractor or supplier need be listed pursuant to Public Contract Code section 4104; and

WHEREAS, Mountain Cascade has provide the appropriate supporting qualifications in compliance with the project specifications.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that Addendum Nos. 1 and 2 are hereby approved and adopted as part of the plans and specifications for the project.

BE IT FURTHER RESOLVED that the bid protest by Western Water Constructors Inc. dated April 27, 2015 is hereby rejected.

BE IT FURTEHR RESOLVED that Mountain Cascade Inc. is hereby awarded the contract for the Conversion of Existing Gravity Thickener to New Primary Clarifier Project at the Water Pollution Control Facility, Project No. 07515, in accordance with the plans and specifications adopted therefore and on file in the office of the City Clerk of the City of Hayward, at and for the price named and stated in the final proposal of the hereinabove specified bidder, and all other bids are hereby rejected.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute an agreement with Mountain Cascade Inc. in the name of and for and on behalf of the City of Hayward, in an amount not to exceed \$2,993,824, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2015

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:

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City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 15-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION AMENDING RESOLUTION 14-098, AS AMENDED, THE BUDGET RESOLUTION FOR CAPITAL IMPROVEMENTS PROJECTS FOR FISCAL YEAR 2015, RELATING TO APPROPRIATION OF FUNDS FROM THE SEWER SYSTEM IMPROVEMENTS FUND (612) TO THE CONVERSION OF EXISTING GRAVITY THICKENER TO NEW PRIMARY CLARIFIER PROJECT AT WATER POLLUTION CONTROL FACILITY, PROJECT NO. 07515

BE IT RESOLVED by the City Council of the City of Hayward that Resolution 14-098, as amended, the Budget Resolution for Capital Improvement Projects for Fiscal Year 2015, is hereby amended by approving an appropriation of \$898,824 from the Sewer System Improvements Fund (612) to the Conversion of Existing Gravity Thickener to New Primary Clarifier Project at the Water Pollution Control Facility, Project No. 07515.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2015

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

CITY OF HAYWARD  
CONSTRUCTION OF CONVERSION OF EXISTING GRAVITY THICKENER TO NEW PRIMARY CLARIFIER AT WATER POLLUTION CONTROL FACILITY  
PROJECT NO. 07515  
BIDS OPENED: Conversion of Existing Gravity Thickener to New Primary Clarifier at Water Pollution Control Facility  
(NUMBER OF BIDS RECEIVED - 6)

BID SUMMARY			ENGINEER'S ESTIMATE	MOUNTAIN CASCADE INC.		WESTERN WATER CONSTRUCTORS, INC.			
			555 Exchange Ct Livermore, CA 94551 (925) 373-8370 (925) 373-0940		707 Aviation Blvd Santa Rosa, CA 95403 (707) 540-9640 (707) 540-9641				
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	LS	BID ITEM 1 INCLUDES PAYMENT FOR CONSTRUCTION OF IMPROVEMENTS, INCLUDING CONVERSION OF THE EXISTING FLOTATOR-THICKENER TANK INTO A NEW PRIMARY CLARIFIER, INCLUDING NEW MECHANICAL EQUIPMENT AND ASSOCIATED PIPING, PUMPS, SITE WORK, STRUCTURES, ELECTRICAL, INSTRUMENTATION AND ALL APPURTENANT FACILITIES, COMPLETE AND OPERABLE, ALL IN ACCORDANCE WITH THE CONTRACT DOCUMENTS, EXCEPT FOR BID ITEMS 2 THROUGH 8. SEE SPECIFICATION 01025.	2,280,930.00	2,280,930.00	2,582,824.00	2,582,824.00	2,721,000.00	2,721,000.00
2	1	LS	BID ITEM 2 INCLUDES ALL COSTS FOR DESIGNING, PROCURING, INSTALLING, REMOVING AND ANY OTHER WORK NECESSARY TO PROVIDE ALL SHEETING, SHORING AND BRACING OF EXCAVATIONS AS REQUIRED, INCLUDING, BUT NOT LIMITED TO, LABOR CODE SECTIONS 6700-6708. SEE SPECIFICATIONS 010125.	85,300.00	85,300.00	138,000.00	138,000.00	36,000.00	36,000.00
3A	1,200	SF	BID ITEM 3A INCLUDES PAYMENT FOR CONCRETE REPAIR IN THE NEW SOUTHWEST PRIMARY CLARIFIER 4, THE EXISTING NORTHWEST PRIMARY CLARIFIER 3, AND THE PRIMARY INFLUENT DISTRIBUTION STRUCTURE IN ACCORDANCE WITH DETAIL A SHOWN ON DRAWING 00-S-005. SEE SPECIFICATION 01025.	36.05	43,260.00	52.00	62,400.00	52.50	63,000.00
3B	200	SF	BID ITEM 3B INCLUDES PAYMENT FOR CONCRETE REPAIR IN THE NEW SOUTHWEST PRIMARY CLARIFIER 4, THE EXISTING NORTHWEST PRIMARY CLARIFIER, AND THE PRIMARY INFLUENT DISTRIBUTION STRUCTURE IN ACCORDANCE WITH DETAIL B SHOWN ON DRAWING 00-S-005. SEE SPECIFICATION 01025.	36.05	7,210.00	77.00	15,400.00	155.00	31,000.00
4	400	LF	BID ITEM 4 INCLUDES PAYMENT FOR CONCRETE CRACK REPAIR IN THE NEW SOUTHWEST PRIMARY CLARIFIER 4, THE EXISTING NORTHWEST PRIMARY CLARIFIER, THE PRIMARY INFLUENT DISTRIBUTION STRUCTURE, THE SOLIDS CONTACT BASINS (SSBS), AND FINAL CLARIFIER 2 (FC2). SEE SPECIFICATION 01025.	157.50	63,000.00	112.00	44,800.00	157.50	63,000.00
5	1	LS	BID ITEM 5 INCLUDES ALL COSTS ASSOCIATED WITH THE ABATEMENT AND DISPOSAL OF HAZARDOUS WASTE MATERIALS INCLUDING ASBESTOS-CONTAINING MATERIALS AND LEAD-CONTAINING COMPONENTS. SEE SPECIFICATION 01025.	10,000.00	10,000.00	7,400.00	7,400.00	31,000.00	31,000.00
6	1	LS	BID ITEM 6 IS LUMP SUM TO INVESTIGATE AND POTHOLE EACH OF THE CONNECTIONS TO VERIFY THE LOCATION, DEPTH, CONDITION, AND MATERIALS PRIOR TO FABRICATION OR PURCHASE OF MATERIALS. PAYMENT FOR THIS ITEM IS LIMITED TO ONE (1) PERCENT OF THE CONTRACT AMOUNT. SEE SPECIFICATION 01025.	27,000.00	27,000.00	8,000.00	8,000.00	27,000.00	27,000.00
7	1	LS	BID ITEM 7 IS THE LUMP SUM BID PRICE FOR ADMINISTRATIVE CHANGE ORDERS. PAYMENT FOR PORTIONS OF THIS BID ITEM SHALL BE BASED ON THE PERCENTAGE OF WORK COMPLETED THAT IS DIRECTLY RELATED TO ADMINISTRATIVE CHANGE ORDERS APPROVED BY THE CITY ENGINEER AND CAN BE ANY AMOUNT RANGING FROM \$0 TO THE INDICATED TOTAL. SEE SPECIFICATION 01025.	135,000.00	135,000.00	135,000.00	135,000.00	135,000.00	135,000.00
			<b>BASE BID TOTAL ITEMS 1 THROUGH 7 (BASIS OF AWARD)</b>		2,651,700.00		2,993,824.00		3,107,000.00
8	6,000	SF	ADDITIVE BID ITEM 8 IS TO PROVIDE PROTECTIVE COATING ON THE PRIMARY CLARIFIERS 3 AND 4 INTERIOR CONCRETE WALLS. SEE SPECIFICATION 01025.	6.35	38,100.00	28.00	168,000.00	30.00	180,000.00
			<b>TOTAL</b>		<b>2,689,800.00</b>	*	<b>3,161,824.00</b>		<b>3,287,000.00</b>

\* Original Bid Total Included Additive Bid Item 8.

CITY OF HAYWARD  
CONSTRUCTION OF CONVERSION OF EXISTING GRAVITY THICKENER TO NEW PRIMARY CLARIFIER  
PROJECT NO. 07515  
BIDS OPENED: Conversion of Existing Gravity Thickener to New Primary Clarifier at Water Poll  
(NUMBER OF BIDS RECEIVED - 6)

BID SUMMARY			ENGINEER'S ESTIMATE		ANDERSON PACIFIC ENGINEERING CONSTRUCTION, INC. 1390 Norman Ave Santa Clara, CA 95054 (408) 970-9900 (408) 970-9975		GSE CONSTRUCTION COMPANY INC 6950 Preston Ave Livermore, CA 94551 (925) 447-0292 (925) 447-0962		
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	LS	BID ITEM 1 INCLUDES PAYMENT FOR CONSTRUCTION OF IMPROVEMENTS, INCLUDING CONVERSION OF THE EXISTING FLOTATOR-THICKENER TANK INTO A NEW PRIMARY CLARIFIER, INCLUDING NEW MECHANICAL EQUIPMENT AND ASSOCIATED PIPING, PUMPS, SITE WORK, STRUCTURES, ELECTRICAL, INSTRUMENTATION AND ALL APPURTENANT FACILITIES, COMPLETE AND OPERABLE, ALL IN ACCORDANCE WITH THE CONTRACT DOCUMENTS, EXCEPT FOR BID ITEMS 2 THROUGH 8. SEE SPECIFICATION 01025.	2,280,930.00	2,280,930.00	2,704,000.00	2,704,000.00	2,813,000.00	2,813,000.00
2	1	LS	BID ITEM 2 INCLUDES ALL COSTS FOR DESIGNING, PROCURING, INSTALLING, REMOVING AND ANY OTHER WORK NECESSARY TO PROVIDE ALL SHEETING, SHORING AND BRACING OF EXCAVATIONS AS REQUIRED, INCLUDING, BUT NOT LIMITED TO, LABOR CODE SECTIONS 6700-6708. SEE SPECIFICATIONS 010125.	85,300.00	85,300.00	100,000.00	100,000.00	300,000.00	300,000.00
3A	1,200	SF	BID ITEM 3A INCLUDES PAYMENT FOR CONCRETE REPAIR IN THE NEW SOUTHWEST PRIMARY CLARIFIER 4, THE EXISTING NORTHWEST PRIMARY CLARIFIER 3, AND THE PRIMARY INFLUENT DISTRIBUTION STRUCTURE IN ACCORDANCE WITH DETAIL A SHOWN ON DRAWING 00-S-005. SEE SPECIFICATION 01025.	36.05	43,260.00	75.00	90,000.00	18.00	21,600.00
3B	200	SF	BID ITEM 3B INCLUDES PAYMENT FOR CONCRETE REPAIR IN THE NEW SOUTHWEST PRIMARY CLARIFIER 4, THE EXISTING NORTHWEST PRIMARY CLARIFIER, AND THE PRIMARY INFLUENT DISTRIBUTION STRUCTURE IN ACCORDANCE WITH DETAIL B SHOWN ON DRAWING 00-S-005. SEE SPECIFICATION 01025.	36.05	7,210.00	100.00	20,000.00	18.00	3,600.00
4	400	LF	BID ITEM 4 INCLUDES PAYMENT FOR CONCRETE CRACK REPAIR IN THE NEW SOUTHWEST PRIMARY CLARIFIER 4, THE EXISTING NORTHWEST PRIMARY CLARIFIER, THE PRIMARY INFLUENT DISTRIBUTION STRUCTURE, THE SOLIDS CONTACT BASINS (SSBS), AND FINAL CLARIFIER 2 (FC2). SEE SPECIFICATION 01025.	157.50	63,000.00	75.00	30,000.00	51.00	20,400.00
5	1	LS	BID ITEM 5 INCLUDES ALL COSTS ASSOCIATED WITH THE ABATEMENT AND DISPOSAL OF HAZARDOUS WASTE MATERIALS INCLUDING ASBESTOS-CONTAINING MATERIALS AND LEAD-CONTAINING COMPONENTS. SEE SPECIFICATION 01025.	10,000.00	10,000.00	25,000.00	25,000.00	5,000.00	5,000.00
6	1	LS	BID ITEM 6 IS LUMP SUM TO INVESTIGATE AND POTHOLE EACH OF THE CONNECTIONS TO VERIFY THE LOCATION, DEPTH, CONDITION, AND MATERIALS PRIOR TO FABRICATION OR PURCHASE OF MATERIALS. PAYMENT FOR THIS ITEM IS LIMITED TO ONE (1) PERCENT OF THE CONTRACT AMOUNT. SEE SPECIFICATION 01025.	27,000.00	27,000.00	25,000.00	25,000.00	8,000.00	8,000.00
7	1	LS	BID ITEM 7 IS THE LUMP SUM BID PRICE FOR ADMINISTRATIVE CHANGE ORDERS. PAYMENT FOR PORTIONS OF THIS BID ITEM SHALL BE BASED ON THE PERCENTAGE OF WORK COMPLETED THAT IS DIRECTLY RELATED TO ADMINISTRATIVE CHANGE ORDERS APPROVED BY THE CITY ENGINEER AND CAN BE ANY AMOUNT RANGING FROM \$0 TO THE INDICATED TOTAL. SEE SPECIFICATION 01025.	135,000.00	135,000.00	135,000.00	135,000.00	135,000.00	135,000.00
			<b>BASE BID TOTAL ITEMS 1 THROUGH 7 (BASIS OF AWARD)</b>		2,651,700.00		3,129,000.00		3,306,600.00
8	6,000	SF	ADDITIVE BID ITEM 8 IS TO PROVIDE PROTECTIVE COATING ON THE PRIMARY CLARIFIERS 3 AND 4 INTERIOR CONCRETE WALLS. SEE SPECIFICATION 01025.	6.35	38,100.00	22.00	132,000.00	40.00	240,000.00
			<b>TOTAL</b>		<b>2,689,800.00</b>		<b>3,261,000.00</b>		<b>3,546,600.00</b>

CITY OF HAYWARD  
CONSTRUCTION OF CONVERSION OF EXISTING GRAVITY THICKENER TO NEW PRIMARY CLARIFIER  
PROJECT NO. 07515  
BIDS OPENED: Conversion of Existing Gravity Thickener to New Primary Clarifier at Water Poll  
(NUMBER OF BIDS RECEIVED - 6)

BID SUMMARY			ENGINEER'S ESTIMATE	MONTEREY MECHANICAL CO.		JMB CONSTRUCTION, INC.			
			8275 San Leandro St Oakland, CA 94621 (510) 632-3173 (510) 632-0732		132 South Maple Ave South San Francisco, CA 94080 (650) 207-5300 (650) 262-5302				
ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	LS	BID ITEM 1 INCLUDES PAYMENT FOR CONSTRUCTION OF IMPROVEMENTS, INCLUDING CONVERSION OF THE EXISTING FLOTATOR-THICKENER TANK INTO A NEW PRIMARY CLARIFIER, INCLUDING NEW MECHANICAL EQUIPMENT AND ASSOCIATED PIPING, PUMPS, SITE WORK, STRUCTURES, ELECTRICAL, INSTRUMENTATION AND ALL APPURTENANT FACILITIES, COMPLETE AND OPERABLE, ALL IN ACCORDANCE WITH THE CONTRACT DOCUMENTS, EXCEPT FOR BID ITEMS 2 THROUGH 8. SEE SPECIFICATION 01025.	2,280,930.00	2,280,930.00	3,182,900.00	3,182,900.00	3,100,000.00	3,100,000.00
2	1	LS	BID ITEM 2 INCLUDES ALL COSTS FOR DESIGNING, PROCURING, INSTALLING, REMOVING AND ANY OTHER WORK NECESSARY TO PROVIDE ALL SHEETING, SHORING AND BRACING OF EXCAVATIONS AS REQUIRED, INCLUDING, BUT NOT LIMITED TO, LABOR CODE SECTIONS 6700-6708. SEE SPECIFICATIONS 010125.	85,300.00	85,300.00	200,000.00	200,000.00	185,000.00	185,000.00
3A	1,200	SF	BID ITEM 3A INCLUDES PAYMENT FOR CONCRETE REPAIR IN THE NEW SOUTHWEST PRIMARY CLARIFIER 4, THE EXISTING NORTHWEST PRIMARY CLARIFIER 3, AND THE PRIMARY INFLUENT DISTRIBUTION STRUCTURE IN ACCORDANCE WITH DETAIL A SHOWN ON DRAWING 00-S-005. SEE SPECIFICATION 01025.	36.05	43,260.00	50.00	60,000.00	135.00	162,000.00
3B	200	SF	BID ITEM 3B INCLUDES PAYMENT FOR CONCRETE REPAIR IN THE NEW SOUTHWEST PRIMARY CLARIFIER 4, THE EXISTING NORTHWEST PRIMARY CLARIFIER, AND THE PRIMARY INFLUENT DISTRIBUTION STRUCTURE IN ACCORDANCE WITH DETAIL B SHOWN ON DRAWING 00-S-005. SEE SPECIFICATION 01025.	36.05	7,210.00	160.00	32,000.00	190.00	38,000.00
4	400	LF	BID ITEM 4 INCLUDES PAYMENT FOR CONCRETE CRACK REPAIR IN THE NEW SOUTHWEST PRIMARY CLARIFIER 4, THE EXISTING NORTHWEST PRIMARY CLARIFIER, THE PRIMARY INFLUENT DISTRIBUTION STRUCTURE, THE SOLIDS CONTACT BASINS (SSBS), AND FINAL CLARIFIER 2 (FC2). SEE SPECIFICATION 01025.	157.50	63,000.00	110.00	44,000.00	105.00	42,000.00
5	1	LS	BID ITEM 5 INCLUDES ALL COSTS ASSOCIATED WITH THE ABATEMENT AND DISPOSAL OF HAZARDOUS WASTE MATERIALS INCLUDING ASBESTOS-CONTAINING MATERIALS AND LEAD-CONTAINING COMPONENTS. SEE SPECIFICATION 01025.	10,000.00	10,000.00	5,000.00	5,000.00	53,000.00	53,000.00
6	1	LS	BID ITEM 6 IS LUMP SUM TO INVESTIGATE AND POTHOLE EACH OF THE CONNECTIONS TO VERIFY THE LOCATION, DEPTH, CONDITION, AND MATERIALS PRIOR TO FABRICATION OR PURCHASE OF MATERIALS. PAYMENT FOR THIS ITEM IS LIMITED TO ONE (1) PERCENT OF THE CONTRACT AMOUNT. SEE SPECIFICATION 01025.	27,000.00	27,000.00	20,000.00	20,000.00	15,000.00	15,000.00
7	1	LS	BID ITEM 7 IS THE LUMP SUM BID PRICE FOR ADMINISTRATIVE CHANGE ORDERS. PAYMENT FOR PORTIONS OF THIS BID ITEM SHALL BE BASED ON THE PERCENTAGE OF WORK COMPLETED THAT IS DIRECTLY RELATED TO ADMINISTRATIVE CHANGE ORDERS APPROVED BY THE CITY ENGINEER AND CAN BE ANY AMOUNT RANGING FROM \$0 TO THE INDICATED TOTAL. SEE SPECIFICATION 01025.	135,000.00	135,000.00	135,000.00	135,000.00	135,000.00	135,000.00
			<b>BASE BID TOTAL ITEMS 1 THROUGH 7 (BASIS OF AWARD)</b>		2,651,700.00		3,678,900.00		3,730,000.00
8	6,000	SF	ADDITIVE BID ITEM 8 IS TO PROVIDE PROTECTIVE COATING ON THE PRIMARY CLARIFIERS 3 AND 4 INTERIOR CONCRETE WALLS. SEE SPECIFICATION 01025.	6.35	38,100.00	24.00	144,000.00	27.00	162,000.00
			<b>TOTAL</b>		<b>2,689,800.00</b>		<b>3,822,900.00</b>		<b>3,892,000.00</b>

**DATE:** May 19, 2015

**TO:** Mayor and City Council

**FROM:** Director of Utilities & Environmental Services

**SUBJECT:** Recycled Water Project: Authorization for City Manager to Submit a Revised Application for State Water Resources Control Board Revolving Fund Loan

### **RECOMMENDATION**

That the City Council adopts the attached resolution (Attachment I) authorizing the City Manager to submit an application for up to \$12 million in Clean Water State Revolving Fund (SRF) loan funds from the State Water Resources Control Board (SWRCB) for the City's Recycled Water Project.

### **SUMMARY**

On October 14, 2014, the City Council adopted Resolution 14-167, authorizing the City Manager to sign and file an SRF Loan application for an amount not to exceed \$6 million for the design and construction of the Recycled Water Project. It was anticipated at that time that this project would be financed through a combination of a low interest Clean Water SRF loan and other state and/or federal funding. However, since there are no guarantees that other funding will materialize, given the competition for grant funding and challenges in securing federal funds, staff recommends applying for up to \$12 million in SRF funds to provide greater flexibility.

### **BACKGROUND**

The City prepared a Recycled Water Feasibility Study in 2007 that provided a conceptual overview of the potential for delivering highly treated wastewater for irrigation and other industrial uses. Based on the results of the Feasibility Study, a Recycled Water Facility Plan (Plan), partially funded by a grant from the SWRCB, was completed in 2009 and updated in September 2013.

The Plan identifies potential users for recycled water within the City, presents a conceptual treatment and distribution system, and estimates project costs based on an assessment of prevailing conditions. The original Plan envisioned the City receiving excess recycled water from the Russell City Energy Center, operated by Calpine, which receives secondary treated wastewater from the City and utilizes its own facilities to treat the wastewater to tertiary level in

its cooling process. Staff continues to have preliminary discussions with Calpine representatives to this end; however, for several reasons, including Calpine's concerns about broaching this issue with the California Energy Commission before the facility was fully functional and approved by the Commission, adequate progress has not been made. Rather than delay implementation of the recycled water project, staff proposes to move forward with the necessary upfront work to plan and design the distribution system, and a small City-owned and operated treatment facility and distribution system, concurrent with ongoing discussions between the City and Calpine.

The project currently consists of installing a new Recycled Water Facility (RWF) located at the City's Water Pollution Control Facility (WPCF), with capacity to produce an estimated 290 acre-feet per year of recycled water (equivalent to nearly ninety-four million gallons per year, or 260,000 gallons per day) and a 1.5-mile distribution system. The project would also include installation of over three miles of lateral pipelines and connections to customers. Upon completion, recycled water would be delivered to approximately twenty-four customers located to the north and south of the WPCF, primarily for irrigation, with some industrial uses in cooling towers and boilers. The City is pursuing a long-stalled agreement with Shell Oil to purchase an existing abandoned eight-inch diameter pipeline ("pipeline") that could form the backbone of the distribution system.

The City completed an environmental assessment in October 2014 and adopted an Initial Study/Mitigated Negative Declaration on December 16, 2014, in compliance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Staff is now planning to prepare a request for proposals for the design of the RWF and distribution system.

## **DISCUSSION**

In March, the SWRCB announced new low-interest financing terms for water recycling projects to help California produce an additional 150,000 acre-feet of recycled water annually, one of several actions Governor Brown called for in the Drought State of Emergency declaration. The SWRCB's Division of Financial Assistance is offering \$800 million in loans at one percent interest, which is less than half the current interest rate of traditional SRF financing, for water recycling projects that can be completed within three years of the Governor's January 17, 2014 drought declaration. Applications for funding must be submitted by December 2, 2015.

In order to initiate the application process for this funding, the City Council must adopt a resolution that authorizes the City Manager to sign and file an application for financing with the SWRCB. Accordingly, in October 2014, staff prepared a resolution for City Council's approval. The Resolution was adopted by the City Council on October 14, 2014, authorizing the City Manager to sign and file an SRF Loan application for an amount not to exceed \$6 million for the design and construction of the RWF.

At that time, staff had anticipated that this project would be financed through a combination of a low interest Clean Water SRF loan and other state and/or federal funding. However, funding from other sources has not materialized as expected. There are also no guarantees that such funding sources will materialize in the near future, given the competition for grant funding and challenges in securing federal funds. In view of the changed funding situation, staff recommends

increasing the SRF loan application from \$6 million to up to \$12 million to provide greater flexibility in project implementation. The availability of the low interest SRF loan will enable the City to move forward with the project, which would be otherwise delayed in anticipation of other funds.

Embarking on the application process with the SWRCB does not obligate the City in any way to execute the loan. Rather, the authorization to file an application is the first procedural step in beginning the technical, financial, and environmental review processes with the SWRCB.

## **ECONOMIC IMPACT**

The Project would provide recycled water for irrigation and cooling purposes to approximately twenty-two commercial customers near the WPCF, the Hayward Executive Airport and the Fire Training Center. This service will reduce those customers' potable water use and can provide cost savings to the businesses that opt initially or in the future to receive recycled water. Staff will evaluate the cost of treating and delivering recycled water and recommend a rate structure that would provide an incentive for eligible customers to use recycled water. At this time, it is unknown if those rates would cover the entire costs of the project. The benefit this project will provide to non-eligible customers is that with the availability of recycled water delivery, and the subsequent reduction in potable water use, there would be increased water supply. Given the current drought conditions, this factor could be significant in allowing for greater flexibility in the City's water supply.

## **FISCAL IMPACT**

A Capital Improvement Project, titled "Recycled Water Treatment and Distribution Facility," is included in the current Capital Improvement Program's Sewer Improvement Fund. The project budget is \$12 million, with an anticipated \$11,594,760 SRF loan proposed to finance the entire project. The City also intends to pursue federal funding from the US Bureau of Reclamation under Title XVI, as well as other grant opportunities for the final design and construction of the RWF. If grant money becomes available from other sources, the amount of SRF loan required will be reduced, thus providing more flexibility to move forward with the project.

This project will not utilize any General Fund monies and the debt service incurred will be obligated to the Wastewater Enterprise Fund.

## **NEXT STEPS**

Following the City Council approval, staff will proceed with completing the SRF loan application, including technical and financial applications.

Staff will also proceed to prepare a request for proposals for design of the recycled water facility and distribution system.

In parallel with the SRF loan application, staff will continue to pursue other state and federal funding opportunities. One of the grant programs that staff has been pursuing is the Integrated

Regional Water Management (IRWM) Implementation Grant Program funded by Proposition 84. IRWM grants are managed within the Department of Water Resources' (DWR's) Division of IRWM by the Financial Assistance Branch. The program's goal is managing water resources in a collaborative effort with various regions working across jurisdictional, watershed, and political boundaries. The Bay Area was allocated \$138 million, of which about \$85 million was awarded in previous grant funding rounds, with about \$40 million available to the Bay Area in the 2015 Round.

Hayward is part of the regional effort for integrated water management, and Hayward's Recycled Water Project was included in the Bay Area Integrated Regional Water Management Plan (Bay Area IRWMP), dated September 2013. In April 2015, staff submitted an update on the Recycled Water Project status to the Bay Area IRWMP Coordinating Committee with a request to be considered for 2015 Prop 84 grants. If Hayward's project is chosen after due review and screening by the Coordinating Committee, a comprehensive and combined application for all the selected projects will be submitted to the DWR by the Bay Area IRWMP Coordinating Committee in August of this year.

In addition to the above effort, the City is also part of the Western Recycled Water Coalition, previously known as the Bay Area Recycled Water Coalition. The Coalition is a collaboration among cities, water and wastewater districts, and investor owned water utilities pursuing state and federal funding for locally managed recycled water projects. Hayward became a member of this Coalition in 2009 for the purpose of obtaining congressional authorization for federal grant funding under Title XVI to construct Hayward's RWF. The Coalition has now expanded its membership beyond the Bay Area to include the Delta region and Central Valley. It has grown from seven members in 2008 to twenty-two now, representing over 3.4 million people. Through this Coalition, staff will continue to pursue the goal of obtaining federal funding in cooperation with other member agencies.

*Prepared by:* Suzan England, Senior Utilities Engineer

*Recommended by:* Alex Ameri, Director of Utilities & Environmental Services

Approved by:



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Fran David, City Manager

Attachments:

Attachment I      Resolution

HAYWARD CITY COUNCIL

RESOLUTION NO. 15-

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AND FILE  
A STATE REVOLVING FUND LOAN FINANCIAL ASSISTANCE  
APPLICATION IN AN AMOUNT NOT TO EXCEED \$12,000,000 FOR  
CAPITAL IMPROVEMENT PROJECT #07507 – RECYCLED WATER  
TREATMENT AND DISTRIBUTION FACILITIES

WHEREAS, the City Council approved the 2015 Capital Improvement Program, which included Project #07507 – Recycled Water Treatment and Distribution Facilities; and

WHEREAS, State Revolving Fund financing is proposed to finance up to \$12 million of the estimated project cost.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to sign and file, for and on behalf of the City of Hayward, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the Recycled Water Treatment and Distribution Facilities Project (#7507), in an amount not to exceed \$12,000,000.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the City Manager is designated to provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement from the State Water Resources Control Board and any amendments or changes thereto.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the City Manager is designated to represent the City in carrying out the responsibilities under the financing agreement, including certifying disbursement requests on behalf of the Entity and compliance with applicable state and federal laws.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2015

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

**DATE:** May 19, 2015

**TO:** Mayor and City Council

**FROM:** Assistant City Manager

**SUBJECT:** Consideration of Resolutions in Support of SB 546 (Leno) and an Amended SB 26 (Hernandez): Providing Greater Transparency of Costs Associated with the Affordable Care Act

### **RECOMMENDATION**

That Council adopts the attached resolution (Attachment I) signifying the City's support of SB 546 (Leno) and the attached resolution (Attachment II) signifying the City's support of SB 26 (Hernandez), if amended. Both bills aim to increase transparency and accountability in healthcare costs.

### **SUMMARY**

With the Affordable Care Act's 40% tax on high cost plans taking effect in 2018, there are several pieces of legislation aiming to help control the rising costs of health care, especially for large group providers. Both pieces of legislation outlined in this report attempt to control health care costs by increasing the transparency of health plans and insurers.

### **BACKGROUND**

In the current legislative session, several lawmakers have introduced legislation aiming to increase health care transparency and accountability while alleviating the perpetual exponential growth in health care costs for large group providers.

SB 546 (Leno) aims to curb unjustified increases in large group health care premiums by subjecting the rates of health plans and insurers in the large group market to review. Additionally, the law requires prior rate approval and mandates health plans and insurers to file documentation and justification for rate changes. This legislation builds on SB 1182 (Leno 2014) which required the disclosure of all large purchaser claims data or other data used for rate premiums.

SB 26 (Hernandez) aims to increase transparency in the health system by requiring health care providers to submit claims and other data in order to publicly report on the performance of hospitals and physicians. The bill would create the California Health Care Cost and Quality Database (CHCCQD), which will be administered by one or more nonprofit independent organizations. The CHCCQD would manage and publically report on the required data.

## DISCUSSION

Information asymmetry is a textbook example of a market failure and a “litmus test” for identifying legitimate targets for public action. For large group health care providers, there is a serious information imbalance. Information behind determining premium rates as well as hospital and physician quality, is simply not available in the large group market. Under current law, health plans and insurers in this market are not required to disclose any information or justification for rate increases. There is no clearinghouse for health care quality.

Since 2002, premiums for employer provided health insurance plans have increased by 182%. These astronomical increases have forced many employers, like the City of Hayward, with the only option of reducing benefits, increasing employee cost shares, and cutting service provision.

Additionally, in 2018, the Affordable Care Act will implement a 40% tax on “high-cost” health care plans (the “Cadillac Tax”) in an attempt to keep premiums at a reasonable level. This tax will certainly hit most large group purchasers, especially in California, considering the cost of health care in the state well exceeds the national average by 5% to 15%. Paying this 40% tax is simply not an option for some large purchasers. If no action is taken, the tax could hit the City’s budget, skyrocketing health care costs at the expense of basic public service provision.

Both of these pieces of legislation will help correct the information asymmetry, bringing more transparency into the cost of healthcare and subsequently lowering health care costs for large group providers. The passage of SB1163 Leno in 2011 placed the same series of regulations as outlined in SB 546 (Leno) for health plans and insurers of individuals and small groups. As a result, by correcting the information asymmetry, individuals and small groups witnessed \$349 million in healthcare savings.

On April 2, 2015, the City of Oakland’s Health Care Task Force, and Service Employees International organized the a Health Care Symposium hosted by the Association of Bay Area Governments. This symposium brought together a panel of experts from CalPERS, UCSF/UC Hastings, and others to inform invited attendees on rising healthcare costs and to develop and organize a coalition to affect changes to control these rising costs, especially for large group providers in the public sector. This group recommends supporting SB 546 (Leno) and supporting SB 26 (Hernandez) if amended as follows:

- The first amendment would create a publicly appointed CHCCQD Board of Directors. As is currently written, the governance of the database could fall to those health care entities who would have a vested interest in the performance measurement and reporting requirements of the this bill.
- The second amendment would remove protections for confidentially negotiated contracts and prices, thereby requiring the public disclosure of all pricing and contract data and information regardless of circumstance.

## FISCAL IMPACT

The City currently pays upwards of \$14.2M per year in employee health care costs<sup>1</sup>. Staff is assuming that with the increasing costs of large group healthcare along with the already increased health care cost in California, it is plausible that the City will have to pay the 40% tax beginning in 2018 per the Affordable Care Act. This will have serious ramifications on the City's ability to provide quality and competitive benefits as well as continue the levels of services City residents expect.

## NEXT STEPS

City Staff will work with the Mayor and Council to draft letters of support to forward on to the City's State Representation in Sacramento.

*Prepared by:* John Stefanski, Administrative Analyst I

*Recommended by:* Kelly McAadoo, Assistant City Manager

Approved by:



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Fran David, City Manager

Attachments:

Attachment I	Resolution In Support of SB 546 (Leno)
Attachment II	Resolution In Support of SB 26 (Hernandez) with Amendments

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<sup>1</sup> This includes both the \$12M for current employee Medical and Dental and \$2.2M in Retiree Medical (pay-go) benefits as outlined in Table 2-General Fund Expenditures from the March 17, 2015 FY2015 Mid-Year Budget Review.

HAYWARD CITY COUNCIL

RESOLUTION NO. 15-

Introduced by Council Member \_\_\_\_\_

RESOLUTION IN SUPPORT OF SB 546 (LENO) HEALTH CARE COVERAGE: RATE REVIEW

WHEREAS, the U.S. spends far more on health care per person than any other advanced nation, yet we receive fewer services and, in aggregate, live shorter lives and have worse outcomes; and

WHEREAS, California health insurances premiums have increased 185% since 2002, more than five times the state’s overall cost of living inflation rate; and

WHEREAS, soaring health benefit costs reduce public investments in the social determinants of health and are the primary driver of the long-term financial challenges that state and local governments face; and

WHEREAS, experts widely agree that high U.S. health care spending results from high prices, excessive overhead costs, failures in safety and effectiveness, inefficiently delivered services, and billing fraud—problems called “waste” by the Institute of Medicine; and

WHEREAS, SB 546 (Leno) Health Care Coverage: Rate Review will help to increase transparency and curb unjustified increases in large group health care premiums through subjecting the rates of health plans and insurers in the large group market to review and by requiring health plans and insurers to file documentation and justification for rate changes.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Hayward, CA supports SB 546 (Leno) and urges its passage in the California State Legislature.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2015

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 15-

Introduced by Council Member \_\_\_\_\_

RESOLUTION IN SUPPORT OF SB 26 (HERNANDEZ) CALIFORNIA HEALTH CARE COST AND QUALITY DATABASE, WITH AMENDMENTS

WHEREAS, the U.S. spends far more on health care, per person, than any other advanced nation, yet we receive fewer services and, in aggregate, live shorter lives and have worse outcomes; and

WHEREAS, California health insurances premiums have increased 185% since 2002, more than five times the state’s overall cost of living inflation rate; and

WHEREAS, soaring health benefit costs reduce public investments in the social determinants of health and is the primary driver of the long-term financial challenges that state and local governments face; and

WHEREAS, experts widely agree that high U.S. health care spending results from high prices, excessive overhead costs, failures in safety and effectiveness, inefficiently delivered services, and billing fraud—problems called “waste” by the Institute of Medicine; and

WHEREAS, currently, there is no database for hospital and physician quality data and information on health care costs; and

WHEREAS, SB 26 (Hernandez) California Health Care Cost and Quality Database, if amended as outlined in the accompanying staff report, will boost transparency and eliminate the health care data and information asymmetry in the large group market through the creation of the California Health Care Cost and Quality Database.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Hayward, CA supports SB 26 (Hernandez) with amendments and urges its passage in the California State Legislature.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2015

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

**DATE:** May 19, 2015

**TO:** Mayor and City Council

**FROM:** Director of Finance

**SUBJECT:** Authorization for City Manager to Reject all Bids for Lease-Purchase Financing of a Fire Apparatus; and Negotiate on the Open Market for Lease-Purchase Financing

### **RECOMMENDATION**

That City Council authorizes the City Manager to reject all bids received as a result of Request for Proposal (RFP) Bid # 1524-031225 for the Lease-Purchase Financing of a Fire Apparatus; and authorize the City Manager to Negotiate on the open market for the best possible lease-purchase financing.

### **BACKGROUND**

As part of the adopted FY 2015 Fleet Capital Improvement Program budget, Council authorized the purchase of a replacement fire apparatus. While direct cash purchase is the preferable mechanism for fleet replacement, this fund does not currently have adequate capital resources to purchase the apparatus out-right. In an effort to secure funding for the lease-purchase financing of the apparatus staff issued RFP Bid # 1524-031225. Staff is now seeking Council's rejection of all bids received as a result of the RFP process and the authority to negotiate the best possible financing on the open market.

### **DISCUSSION**

The RFP was sent to eight financial institutions requesting Annual Percentage Rates (APR) and structure for the lease-purchasing agreement. Three of the eight institutions responded. Two of the responses received stated an identical APR of 2.95%. Because the stated APR, fees and payments were identical on the two low responsive bids, staff requests authority to negotiate further with the responders to determine the best possible financing option.

### **ECONOMIC IMPACT**

There is no direct economic impact of this action.

### **FISCAL IMPACT**

There is no fiscal impact associated with this action. Staff will return to City Council with a recommendation for lease-purchase financing at the conclusion of negotiations. The acquisition cost

for the fire apparatus is \$1,276,000, and the anticipated total cost with financing is about \$1,472,000. The financing cost will be confirmed through the open market negotiations.

### **NEXT STEPS**

If Council rejects all bids, staff will seek to negotiate terms of the lease/purchase agreement on the open market to secure the most advantageous agreement for the City and bring the results of the negotiations back to Council at an upcoming scheduled meeting. After securing financing, City staff will complete the purchase of the vehicle from Seagrave Fire Apparatus LLC, the current provider of all major apparatus for the Hayward Fire Department.

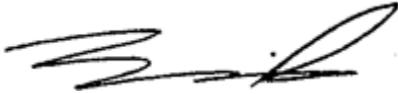
### **PUBLIC CONTACT**

The Lease Financing RFP was opened on April 7, 2015. The lease documents are on file and available for review with the City Clerk and Finance Department.

*Prepared by:* Dustin Claussen, Deputy Director of Finance

*Recommended by:* Tracy Vesely, Director of Finance

Approved by:



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Fran David, City Manager

**DATE:** May 19, 2015

**TO:** Mayor and City Council acting as the Successor Agency Board

**FROM:** Assistant City Manager

**SUBJECT:** Approval of Revised Long Range Property Management Plan

### **RECOMMENDATION**

That the Successor Agency Board adopts the attached resolution (Attachment I) approving the Revised Long Range Property Management Plan.

### **BACKGROUND**

The California State Legislature enacted Assembly Bill x1 26 (the “Dissolution Act”) to dissolve redevelopment agencies formed under the Community Redevelopment Law in June of 2011. The California Supreme Court in its decision in *California Redevelopment Association v. Matosantos*, issued December 29, 2011, declared the Dissolution Act to be constitutional. Under the Dissolution Act, all California redevelopment agencies were dissolved effective February 1, 2012, and various actions are now required by successor agencies to unwind the affairs of all former redevelopment agencies.

On June 27, 2012, as part of the state budget package, the California legislature passed AB 1484. The main objective of AB 1484 was to amend the Dissolution Act based on experience in implementing the Act at the state and local level. AB 1484 imposes significant new obligations on the successor agencies and oversight boards of dissolving redevelopment agencies, which staff has been implementing.

One of the requirements of this State legislation is for the Successor Agency to submit a Long-Range Property Management Plan (LRPMP) for approval by the Successor Agency Board, Oversight Board, and the Department of Finance (DOF) within six months of receipt of the Finding of Completion. The Long-Range Property Management Plan provides an inventory of all real properties of the former Hayward Redevelopment Agency (RDA), except housing assets, which were transferred to the Hayward Housing Authority. The Plan also details a long-range strategic plan that will govern the disposition of all properties.

The DOF will issue a Finding of Completion to the Successor Agency once each Due Diligence Review (DDR) has been completed and approved by DOF and all unencumbered balances have

been paid by the Agency to the Auditor-Controller. The Hayward Successor Agency has completed both DDRs, both have been approved by DOF, and all funds were paid to the Auditor-Controller for distribution to the taxing entities. The Agency received its Finding of Completion in November 2013. The Agency submitted its original LRPMP in April of 2014.

## **DISCUSSION**

In an attempt to obtain approval of the LRPMP, Successor Agency staff have had several discussions with the DOF regarding necessary amendments to the original LRPMP. The amendments involve several properties:

- 22631 Foothill Blvd (Cinema Place)
- 22631 Foothill Blvd (Cinema Place Parking Lot)
- 1025 A Street (Municipal Lot 2)
- 22852 Foothill Blvd (22852 Foothill Parking Lot)
- 1154 Russell Way (Russell Parcel A)
- 1166 Russell Way (Russell Parcel B)

The concern of DOF staff was the lack of compensation agreements between the City, the Successor Agency, and Affected Taxing Entities (ATEs). While at this time, there are no plans to dispose of these properties, the DOF will not approve the LRPMP without amendments to include provisions for compensation agreements for these properties.

In order to address these concerns, the recommended uses for the properties were changed. Now, the Successor Agency will retain the Cinema Place properties (both Cinema Place and Cinema Place Parking Lot) to fulfill enforceable obligations. Once those enforceable obligations are complete, the SA has two options for the disposition of the properties:

1. Sell the properties to the current developer or a third party, retaining the proceeds to pay for other enforceable obligations per a compensation agreement with the ATEs.
2. Transfer the properties to the City of Hayward for future development and include the properties in a compensation agreement with the ATEs.

At this time, Successor Agency staff has not made a decision on the ultimate final disposition of the Cinema Place Properties. Considering the term of the ground lease, which took effect in 2005 and lasts for fifty (50) years with the potential of two (2) five (5) year extensions, staff does not believe assigning an end disposition determination is a worthy exercise at this time. This decision will need to be addressed in the future, prior to 2055.

Regarding the public parking lots listed above, the DOF requested the recommended uses for these properties to be changed to “Transfer to City for Future Development.” Successor Agency staff has serious concerns with this change in designation considering the nuances associated with some of these lots. The uses of some of these lots are protected by either the City Charter or restrictive bond covenants or both. Changing the designation of these lots to “future development” could jeopardize these protections, opening up the Successor Agency and/or the City to future litigation.

Staff spoke to DOF staff, asking to allow the recommended use to remain “governmental use” with compensation agreements; however the DOF was unwilling to entertain that option. Given the disinclination of the DOF to meet the Successor Agency half way in resolving this impasse, the Successor Agency will change the recommended use for the aforementioned parking lots to “transfer to the City for future development” but will continue further use of the parcels as parking lots indefinitely.

As a result, the following statement has been added to the LRPMP for the parking lot properties:

*“The City will enter into a compensation agreement with the affected taxing entities, but the compensation agreement with regards to this property will be subject to the terms of pre-existing enforceable obligations.”*

Construction of the new Hayward Library, which is set to commence later this year, will not be able to take place without the approval of the LRPMP, as the new library will be sited on parking lots formerly owned by the Hayward Redevelopment Agency. The transfer of the Library Site to the City requires LRPMP approval. Successor Agency staff has proactively sent drafts of the amendments to DOF in order to expedite approval of the revised plan.

## **NEXT STEPS**

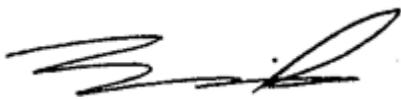
Due to scheduling issues, the Oversight Board will be considering a similar resolution approving the revised LRPMP at a meeting on Monday, May 18, 2015. Pending approval by both the Oversight Board and the Successor Agency Board, staff will resubmit the LRPMP to the DOF immediately thereafter for approval.

Successor Agency staff will then begin to develop the compensation agreements for later approval by the Successor Agency Board and Oversight Board. Completion and approval of the compensation agreements will not impact the transfer of the land for the new library.

*Prepared by:* John Stefanski, Administrative Analyst I

*Recommended by:* Kelly McAdoo, Assistant City Manager

Approved by:



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Frances David, City Manager

Attachments:

- |               |   |
|---------------|---|
| Attachment I  | Resolution                                  |
| Attachment II | Revised Long Range Property Management Plan |

REDEVELOPMENT SUCCESSOR AGENCY OF THE CITY OF HAYWARD

RESOLUTION NO. RSA 15-\_\_

Introduced by Agency Member \_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD, ACTING AS THE GOVERNING BOARD OF THE HAYWARD SUCCESSOR AGENCY, A SEPARATE LEGAL ENTITY, APPROVING REVISIONS TO THE MULTI-ASSET LONG-RANGE PROPERTY MANAGEMENT PLAN PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5

WHEREAS, pursuant to ABx1 26 (as amended by AB 1484, the “Dissolution Statutes”), the separate legal entity known as the Hayward Successor Agency (the “Successor Agency”) must pay the enforceable obligations, wind down the affairs and dispose of assets of the dissolved Redevelopment Agency of the City of Hayward (the “Former Agency”); and

WHEREAS, the Successor Agency received a Finding of Completion from the State Department of Finance (the “DOF”), effective November 8, 2013; and

WHEREAS, an oversight board for the Successor Agency (the “Oversight Board”) has been formed and is functioning in accordance with Health and Safety Code Section 34179; and

WHEREAS, by Ordinance No. 75-029 dated December 30, 1975, the City Council adopted the Redevelopment Plan for the (the “Redevelopment Plan”) for the Downtown Redevelopment Project Area (the “Project Area”), which Redevelopment Plan was being implemented by the Former Agency up until its dissolution; and

WHEREAS, pursuant to Health and Safety Code Section 34191.5(b), upon receipt of the Finding of Completion, the Successor Agency is entitled to and must prepare and submit a Long-Range Property Management Plan (the “LRPMP”) in connection with the property assets of the Successor Agency to the Oversight Board and the Department of Finance no later than six months following the issuance by the DOF of the Finding of Completion, or May 8, 2014; and

WHEREAS, pursuant to Health and Safety Code Section 34191.5(b), the Successor Agency prepared and submitted and the Oversight Board and DOF approved a single-asset LRPMP for a property commonly referred to as the Residual Burbank Site (the “Single Asset LRPMP”);

WHEREAS, the properties that transferred to the ownership of the Successor Agency in connection with the Former Agency’s dissolution that were not housing assets disposed of pursuant to Health and Safety Code Section 34176, public use parcels disposed of pursuant to Health and Safety Code Section 34177(e), 34181(a) and 34191.3; or otherwise disposed of through the Single Asset LRPMP, and that are thereby subject of the multi-asset LRPMP, consists of the properties listed below, which shall herein after be collectively referred to as the “Properties”:

<b>No.</b>	<b>APN</b>	<b>Address</b>
1.	428-0061-039-01	1025 A Street
2.	428-0066-085	22631 Foothill Blvd
3.	428-0066-086	22631 Foothill Blvd
4.	428-0071-049	805 B Street
5.	428-0071-050	805 B Street
6.	428-0071-018	22675 Mission Blvd
7.	428-0071-019	22675 Mission Blvd
8.	444-0033-018	24311 Mission Blvd
9.	444-0033-019	24321 Mission Blvd
10.	444-0033-020	24331 Mission Blvd
11.	444-0033-023	24491 Mission Blvd
12.	427-0001-031-01	22852 Foothill Blvd
13.	415-0240-002	1154 Russell Way
14.	415-0240-003-02	1166 Russell Way

WHEREAS, the Properties were acquired by the Dissolved RDA for redevelopment with uses consistent with, and for projects identified in, the Redevelopment Plan; and

WHEREAS, in accordance with Health and Safety Code Section 34191.5, the Successor Agency prepared and submitted the “Multi-Asset LRPMP” to the Oversight Board for the disposal of the Properties in the manner specified in the Multi-Asset LRPMP, which the Oversight Board approved pursuant to Resolution 2014-06 adopted on April 28, 2014; and

WHEREAS, the Department of Finance reviewed and commented on the Multi-Asset LRPMP and requested revisions to the Multi-Asset LRPMP before the Department would be prepared to approve the Multi-Asset LRPMP. The Successor Agency made the revisions to the Multi-Asset LRPMP (the “Revised Multi-Asset LRPMP”) as required by the Department, all as further set forth in the Staff Report and the Revised Multi-Asset LRPMP that is on file with the Secretary of the Oversight Board; and

WHEREAS, approval of the Revised Multi-Asset LRPMP and the transfer of the Properties pursuant to the Revised Multi-Asset LRPMP is exempt from the requirements of the California Environmental Quality Act and the applicable state and local implementing guidelines (“CEQA”) pursuant to State CEQA Guidelines Section 15061(b)(3); and

WHEREAS, the accompanying staff report (the “Staff Report”) provides supporting information upon which the actions set forth in this Resolution are based.

NOW, THEREFORE, BE IT RESOLVED that the Redevelopment Successor Agency Board hereby finds, resolves, and determines that the foregoing recitals are true and correct, and, together with information provided by the Successor Agency staff and the public, form the basis for the approvals, findings, resolutions, and determinations set forth below.

BE IT FURTHER RESOLVED that, for the reasons set forth above, the Redevelopment Successor Agency Board finds and determines that approval of the Revised Multi-Asset LRPMP is exempt from the requirements of CEQA, and the Successor Agency Executive Director is authorized to file the appropriate notice of exemption with respect to the approval of the Revised Multi-Asset LRPMP in accordance with CEQA.

BE IT FURTHER RESOLVED that pursuant to Health and Safety Code Section 34191.5(b), the Redevelopment Successor Agency Board hereby approves the Revised Multi-Asset LRPMP in the form on file with the secretary of the Redevelopment Successor Agency Board.

BE IT FURTHER RESOLVED that the Redevelopment Successor Agency Executive Director is hereby authorized and directed to submit the Revised Multi-Asset LRPMP to the DOF for approval in accordance with Health and Safety Code Section 34191.5(b).

BE IT FURTHER RESOLVED that, upon approval of the Revised Multi-Asset LRPMP by the DOF, the Redevelopment Successor Agency Board hereby authorizes and directs the Successor Agency Executive Director to dispose and use the Properties and any disposition proceeds in accordance with the Revised Multi-Asset LRPMP and to take any action and execute any documents as may be necessary to implement the disposition and use of the Properties and any disposition proceeds in accordance with the terms approved in the Revised Multi-Asset LRPMP and this Resolution.

BE IT FURTHER RESOLVED that the Successor Agency is hereby directed to notify the California Department of Finance of the actions set forth in this Resolution in accordance with Health and Safety Code Section 34179(h).

BE IT FURTHER RESOLVED that this Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h).

BE IT FURTHER RESOLVED that nothing in this Resolution shall abrogate, waive, impair or in any other manner affect the right or ability of the Successor Agency to amend the long range property management plan with respect to any other property of the Dissolved RDA, including, without limitation, any public use properties.

BE IT FURTHER RESOLVED that this Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h).

HAYWARD, CALIFORNIA, May 19, 2015

ADOPTED BY THE FOLLOWING VOTE:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ATTEST: \_\_\_\_\_  
Secretary of the Successor Agency of the  
City of Hayward

**REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN  
(Pursuant to Health and Safety Code Section 34191.5)**

**Hayward Successor Agency**

**May 14, 2015**

## **Introduction**

### **Procedural Background**

The Redevelopment Agency of the City of Hayward (the “Former RDA”) was dissolved on February 1, 2012, pursuant to ABx1 26 (as amended by AB 1484, the “Redevelopment Dissolution Statutes”). The Redevelopment Dissolution Statutes govern the dissolution of the Former RDA, which includes the disposition of its former real property including housing assets, governmental use properties and other real property assets of the Former RDA.

Under Health and Safety Code Section 34191.5(b), upon receipt of the finding of completion, the Hayward Successor Agency (the “Successor Agency”), successor in interest of the Former RDA under Health and Safety Code Section 34173, is entitled to and must prepare a Long-Range Property Management Plan (the “LRPMP”) in connection with the disposition of the real property assets of Former RDA (excluding “housing assets” as defined in Health and Safety Code Section 34176 and transferred as discussed below). The Successor Agency must submit the LRPMP to its Oversight Board and the State Department of Finance (the “DOF”), no later than six months following the issuance by the DOF of the Finding of Completion, or May 8, 2014.

The Successor Agency obtained a “finding of completion” from DOF on November 8, 2013, pursuant to Health and Safety Code Section 34179.7, indicating that the Successor Agency has satisfactorily made a series of required payments of Former RDA funds in accordance with the Redevelopment Dissolution Statutes. Issuance of the finding of completion now entitles the Successor Agency to submit a LRPMP for approval by the Oversight Board and DOF. This document constitutes the multi-asset Long-Range Property Management Plan (the “Multi-Asset LRPMP”) prepared in accordance with Health and Safety Code Section 34191.5.

On April 23, 2015 Successor Agency Staff had a conference call with the DOF regarding suggested requested amendments to the original LRPMP. The suggested amendments dealt primarily with the following three properties:

- 22631 Foothill Blvd (Cinema Place)
- 22631 Foothill Blvd (Cinema Place Parking Lot)
- 22852 Foothill Blvd (22852 Foothill Lot)

The concern of DOF staff was the lack of compensation agreements between the City, the Successor Agency and Affected Taxing Entities (ATEs) with regards to the transfer of each of the three properties. The changes in this Amended LRPMP address DOF concerns for each property.

This Amended Multi-Asset LRPMP is scheduled for consideration by the Successor Agency's Oversight Board on May 18, 2015 and, if approved by the Oversight Board, will be transmitted to the DOF for its approval in accordance with Health and Safety Code Section 34191.5(b).

## **Organization of LRPMP**

Part I of this Multi-Asset LRPMP contains a summary of the previous transfers made by the Successor Agency, and approved by the Oversight Board, which are reaffirmed under this Multi-Asset LRPMP and sets forth the parameters that will govern the disposition and use of the Properties (defined in Part II below) prescribed under this Multi-Asset LRPMP.

In accordance with Health and Safety Code Section 34191.5(c), Part II of this Multi-Asset LRPMP contains summary sheets for each of the Properties setting forth the information required under Health and Safety Code Section 34191.5(c)(1) and summarizing the directed designated use and disposition for each of the Properties.

Accompanying this Multi-Asset LRPMP is the information checklist required by the DOF (Appendix A) and the DOF Tracking Worksheet (Appendix B).

## **Part I: LRPMP Property Information Inventory**

This Part I contains a summary of the previous transfers made by the Successor Agency, and approved by the Oversight Board, which are reaffirmed under this Multi-Asset LRPMP (Section A). Part I further sets forth the parameters that will govern the disposition and use of the Properties prescribed in Part II of this Multi-Asset LRPMP.

### **A. Previous Transfers**

*Disposition of Housing Assets.* At the time of its dissolution on February 1, 2012, and in accordance with Health and Safety Code Section 34176(b)(2), the Former RDA transferred ownership of the Former RDA's "housing assets" to the Housing Authority of the City of Hayward (the "Housing Authority"). The transferred housing assets were listed on the "Housing Asset Transfer List" prepared in accordance with Section 34176(a)(2) and approved by the California Department of Finance (the "DOF") and subsequently approved by the Successor Agency's oversight board (the "Oversight Board"). This document reaffirms the transfers of the housing assets to the Housing Authority as described on the Housing Asset Transfer List.

*Disposition of Governmental Use Properties.* Under Health and Safety Code Sections 34177(e), 34191.3 and 34181(a), the Oversight Board is authorized to approve and direct the disposition, by the Successor Agency to the City of Hayward (the "City"), of governmental purpose properties constructed and used for roads, school buildings, parks and open space, police and fire stations, libraries, and local agency administrative buildings and other governmental purposes.

The Successor Agency has requested the Oversight Board to direct the transfer of the public owned, operated, and maintained governmental use properties located in the City of Hayward listed below, which are herein after collectively referred to as the "Governmental Use Parcels," from the Successor Agency to the City:

#### ***Table 1: Governmental Use Parcels***

No.	APN	Classification
1.	428-76-23-13	Government Use - Park
2.	428-76-27-09	Government Use - Park
3.	428-71-02-00	Government Use - Park
4.	428-71-03-00	Government Use - Park

This document reaffirms the transfer of the Governmental Use Parcels from the Successor Agency to the City as authorized pursuant to Health and Safety Code Sections 34177(e), 34191.3 and 34181(a).

*Disposition of Other Real Property Assets.* The Successor Agency previously prepared and submitted and the Oversight Board and DOF approved a single asset LRPMP for the “Residual Burbank Site” property (the “Single Asset LRPMP”). The Successor Agency recently transferred the Residual Burbank Site (APN 431-0110-007) in accordance with the terms of the Single Asset LRPMP. This Multi-Asset LRPMP does not address the transfer of the Residual Burbank Site and does not amend or otherwise affect the terms of the Single Asset LRPMP previously approved by the DOF.

**B. Parameters for Transfers Pursuant to Multi-Asset LRPMP**

The Successor Agency is now responsible for disposition of the Properties in accordance with the procedures and requirements of Redevelopment Dissolution Statutes, with particular reference to Health and Safety Code Section 34191.1, 34191.3, 34191.4(a), and 34191.5.

*Property Uses/Disposition.* Health and Safety Code Section 34191.5 authorizes four categories for disposition of a successor agency's property, as summarized in Table 2, below:

**Table 2: Permitted Uses/Disposition of Successor Agency Real Property Under a LRPMP (Health and Safety Code Section 34191.5)**

Plan Category	Use/Disposition Purpose of Property	Property Transferee
Enforceable Obligation	Use Consistent with Enforceable Obligation Terms	Designated Enforceable Obligation Recipient
Governmental	Governmental Use in Accordance with Section 34181(a)	Appropriate Public Jurisdiction
Approved Redevelopment Plan Project	Direct Use, or Liquidation and Use of Proceeds, for Project Identified in Approved Redevelopment Plan	Host Community (City of Hayward)
Other Liquidation	Distribution of Sale Proceeds as Property Taxes to Affected Taxing Entities	Approved Purchase

Part II of this Multi-Asset LRPMP contains the proposed designated use and disposition for each of the Properties.

*Compensation Agreements.*

The Successor Agency interprets Health and Safety Code Section 34191.5 to mean that agreements with taxing entities pursuant to Health and Safety Code Section 34180(f) are not required in connection with the disposition of the Successor Agency's Properties to the City under authority of Health and Safety Code Section 34191.5(c)(2)(A) for use or further disposition by the City as governmental use properties or for projects identified in the Former RDA's approved redevelopment plans. In support of its interpretation, the Successor Agency is submitting an excerpt (Appendix C) from the California State Budget Summary 2012-13 prepared and disseminated by the DOF which specifically states:

“Land and other physical assets not needed for enforceable obligations of the former RDAs may be transferred by the successor agency to the city or county that created the RDA and used for economic development, ***without compensation to the affected taxing entities.***” [emphasis added]

However, the City and the Successor Agency will enter into a compensation agreement pursuant to Health and Safety Code Section 34180(f) (the “Compensation Agreement”) with the affected taxing entities (the “Taxing Entities”) specifying that the Net Proceeds (as further defined and described below), of the City's use of the Properties and any further disposition by the City to third parties of the Properties, will be remitted to the County Auditor-Controller for distribution to all of the Taxing Entities on a pro-rata basis in proportion to each Taxing Entity's respective share of the property tax base.

Transfer of the properties by the Successor Agency to the City in accordance with this Multi-Asset LRPMP is conditioned upon full execution of a Compensation Agreement by the City, the Successor Agency and the Taxing Entities, to the extent applicable. As will be further set forth in the Compensation Agreement, the Net Proceeds to be remitted by the City for distribution to the Taxing Entities will consist generally of the following:

- So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property.
- Upon disposition of a property by the City to private development entity, the Net Proceeds will consist of the sale proceeds, if any, received by the City with respect to the property minus the documented costs to the City of the improvement, operation, maintenance and disposition of the property.

Notwithstanding the foregoing or any other provision of this Multi-Asset LRPMP, no Compensation Agreement will be required, and the City may retain any proceeds from the use or disposition of the Properties, if a court order, legislation or DOF policy reverses the DOF's directive regarding the need for a Compensation Agreement (a “Reversal”). In the event of a Reversal that occurs prior to the full execution of the Compensation Agreement, the properties will be transferred as directed under this LRPMP without the condition of or need for such full execution. If a Reversal occurs after the full execution of the Compensation Agreement, the Compensation Agreement will provide that it can be terminated by any party. Upon such

termination, any Net Proceeds received by the City after such termination, may be retained by the City and are directed pursuant to this Multi-Asset LRPMP to be used by the City to pay costs of one or more projects identified in the approved redevelopment plans.

*Enforceable Obligations.* Two of the Properties are directed under this Multi-Asset LRPMP to be owned and retained by the City to fulfill enforceable obligations previously approved by the DOF and described in further detail in Tables 5 and 6 below. The City will be required to hold such Properties in accordance with the specified terms of the enforceable obligations. As a condition of the City's ownership, the City will collect the rent revenues generated under the enforceable obligations encumbering the two Properties. The City will also be required to use the rent revenues it collects exclusively for costs incurred to implement the former RDA's obligations under the enforceable obligations, including making any required payments.

Because the Successor Agency's liability is limited under Health and Safety Code Section 34173(e), the liability of the City under the enforceable obligations shall be limited to the extent of the total sum of rent revenues the City in possession of the City and the value of the two Properties encumbered by the enforceable obligations.

The City shall deposit all rent revenues into a separate operating and maintenance reserve account. To the extent the funds deposited into the account exceed the greater of (i) \$250,000 or (ii) one and one half the average operating budget for the previous two (2) years, then the City shall pay any excess rent revenues to the Successor Agency for distribution to the taxing entities in accordance with the Redevelopment Dissolution Statutes. To the extent that the rent revenues collected by the City are insufficient to meet the former RDA's obligations under the enforceable obligations, the City shall bear no burden to fund such shortfalls. Consequently, as a further condition of the City's ownership, to the extent the costs incurred to implement the former RDA's obligations and make required payments under the enforceable obligations exceed the rent revenues collected by the City, the Successor Agency shall continue to be responsible to fulfill the continued obligations of the former RDA required under the terms of the enforceable obligations until such time as required thereunder. The City shall maintain complete and accurate financial accounts, documents and records with respect to the performance of its obligations under the enforceable obligations, and shall make the same available to the authorized agents of the Successor Agency for copying and auditing upon reasonable prior notice.

If in the future any of the Properties retained to fulfill an enforceable obligation are no longer required to fulfill the enforceable obligation, the City may retain the property for public use, sell the property for private development for projects identified in the former RDA's approved redevelopment plan, or liquidate the Properties with the consent of the Successor Agency and its Oversight Board.

*Retention for Public Use.* Eight of the Properties are directed under this Multi-Asset LRPMP to be retained by the City for the development or continued use and operation by the City of a governmental use identified in the former RDA's approved redevelopment plans. At this time, it is anticipated that any lease rental income, use fee income, or other income that may be obtained by the City from such City-retained Properties will be far exceeded by the costs to the City of

improving, operating and maintaining such Properties as governmental use properties, with the result that any Net Proceeds are considered unlikely. If in the future, any of the properties retained for public use is to be sold by the City for private development for projects identified in the former RDA's approved redevelopment plans, the Properties will be transferred following the procedures described directly below.

*Transfer for Projects in an Approved Redevelopment Plan.* No properties in this plan are currently proposed to fall into this category. If in the future any of the properties retained for public use is to be sold by the City for private development for projects identified in the former RDA's approved redevelopment plans, the Properties will be sold in the manner prescribed below.

Transfers, for private development for a projects identified in the former RDA's approved redevelopment plan, by the City will be made to a selected development entity in accordance with the terms of a property conveyance agreement approved by the City Council acting in accordance with the requirements of Chapter 2 of Part 4 of Division 1 of Title 5 of the California Government Code (commencing with Government Code Section 52201).

In accordance with Government Code Section 52201(b), the purchase price or lease payments to be paid by the selected developer of each such Property under a property conveyance agreement will equal not less than either the fair market value of the Property at its highest and best use or the fair reuse value of the Property at the use and with the covenants and conditions and the development costs authorized pursuant to the property conveyance agreement, as determined by formal action of the City Council.

The amount of any Net Proceeds from the sale of each of these Properties by the City will depend on the purchase price or lease payments determined in accordance with the statutory requirements cited above, and the counterbalancing documented costs incurred by the City in connection with the improvement, operation, maintenance, and disposition of the Property.

*Liquidation.* Four of the Properties are directed under this Multi-Asset LRPMP to be liquidated by the Successor Agency. For the Properties to be liquidated, the Successor Agency will either list the Properties for sale for the appraised value, issue a request for development proposals that meets the planning objectives of the Successor Agency and the City, or place the Properties for auction, and the proceeds of the sale minus the documented costs to the Successor Agency for transferring the property will be retained to fulfill enforceable obligations on approved recognized obligation payment schedules or for distribution as property tax to the affected taxing entities, in accordance with the terms of Health and Safety Code Section 34191.5(c)(2)(B).

*Not Surplus Property.* Because the City is obligated to dispose of the Properties in accordance with this Multi-Asset LRPMP and to satisfy goals, objectives and purposes of the City's General Plan, the former RDA's approved redevelopment plans, and the Redevelopment Dissolution Statutes, the Properties are not "surplus" property of the City and are not subject to the disposition requirements and procedures of the Surplus Lands Act (Government Code Section 54220 *et seq.*).

Instead, disposition of the Properties in accordance with this Multi-Asset LRPMP constitutes a “common benefit” that may take place under authority of Government Code Section 37350 and/or other disposition authority deemed appropriate by the City. The provisions of the California Environmental Quality Act and Government Code Section 65402(a) regarding General Plan conformance will apply to the disposition by the City of each Property.

**Part II: LRPMP Property Information Inventory and Proposed Uses**

As a result of the disposition of assets described above, the only remaining properties that transferred to the ownership of the Successor Agency in connection with the Former RDA's dissolution that were not housing assets disposed of pursuant to Health and Safety Code Section 34176, public use parcels disposed of pursuant to Health and Safety Code Section 34177(e), 34181(a) and 34191.3; or transferred pursuant to the Single Asset LRPMP, and that are thereby subject to the Multi-Asset LRPMP, consists of the Former RDA properties listed in Table below (herein collectively referred to as the “Properties”).

Table 3 below summarizes the designated use and disposition for the Properties under Health and Safety Code Section 34191.5(c)(2).

***Table 3: Summary of LRPMP List of Properties and Designated Use/Disposition***

No.	APN	Address	Referenced as:	Recommended Use
1.	428-0061-039-01	1025 A Street	“Municipal Lot 2”	Transfer to City for Future Development
2.	428-0066-085	22631 Foothill Blvd	“Cinema Place”	SA Retain to Fulfill enforceable obligation
3.	428-0066-086	22631 Foothill Blvd	“Cinema Place Parking Lot”	SA Retain to Fulfill enforceable obligation
4.	428-0071-049	805 B Street	“City Hall Structure”	Governmental Use
5.	428-0071-050	805 B Street	“City Hall Structure”	Governmental Use
6.	428-0071-018	22675 Mission Blvd	“22675 Mission (Lot A)”	Governmental Use
7.	428-0071-019	22675 Mission Blvd	“22695 Mission (Lot B)”	Governmental Use
8.	444-0033-018	24311 Mission Blvd	“24311 Mission Lot”	Other Liquidation
9.	444-0033-019	24321 Mission Blvd	“24321 Mission Lot”	Other Liquidation
10.	444-0033-020	24331 Mission Blvd	“24331 Mission Lot”	Other Liquidation
11.	444-0033-023	24491 Mission Blvd	“24491 Mission Lot ”	Other Liquidation
12.	427-0001-031-01	22852 Foothill Blvd	“22852 Foothill Lot”	Transfer to City for Future Development
13.	415-0240-002	1154 Russell Way	“Russell Parcel A”	Transfer to City for Future Development
14.	415-0240-003-02	1166 Russell Way	“Russell Parcel B”	Transfer to City for Future Development

The Property Inventory Sheets below, provide the required information for the Properties transferred from the former RDA to the Successor Agency. The Inventory Sheets also address the specific LRPMP requirements listed in Health and Safety Code Section 34191.5(c)(1).



**Table 4: Property Inventory Sheet for Muni Lot 2**

	
<b>Property Background and Description (§34191.5(c)(1)(B)-(C))</b>	
Address	1025 A Street
APN	428-0061-039-01
Lot Size	.65 acres
Acquisition Date	5/11/2005
Purchase Price/Value	\$2,196,142
Current Zoning	CC-C: Central City Commercial
Current Use	Parking lot structure
Purpose of acquisition	This property was acquired to provide public parking.
<b>Estimate of Current Property Value (§34191.5(c)(1)(A))</b>	
Estimated Current Value	\$2,421,800
Date of Estimated Current Value	6/30/2010
Value Basis	Book value
Proposed Sale Value	Not applicable.
Proposed Sale Date	Transfer to City upon approval of LRPMP.
<b>Revenue Generated by Property</b>	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Subject to a “NO-BUILD” easement area and an Access easement area
<b>History of Environmental Contamination/Remediation</b>	
History of contamination/remediation	Unknown
<b>Disposition Plan</b>	
History of previous development proposals	N/A
Potential for transit oriented development	N/A
Reuse potential/advancement of planning objectives	N/A
<b>Recommended Action</b>	
<p>The Successor Agency will transfer Municipal Lot 2 to the City for future development for the continued use and operation of a public parking lot. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property. The City will include the subject property in the compensation agreement that the City will negotiate and execute with the affected taxing entities.</p>	

**Table 5: Property Inventory Sheet for Cinema Place**

	
<b>Property Background and Description (§34191.5(c)(1)(B)-(C))</b>	
Address	22631 Foothill Blvd
APN	428-0066-085
Lot Size	1.53 acres
Acquisition Date	May 2002
Purchase Price/Value	\$10,316,723 (acquired with Cinema Place Parking Lot)
Current Zoning	PD: Planned Development
Current Use	Retail/Cinema Complex
Purpose of acquisition	This property was acquired for redevelopment purposes.
<b>Estimate of Current Property Value (§34191.5(c)(1)(A))</b>	
Estimated Current Value	\$10,553,747
Date of Estimated Current Value	6/30/2010
Value Basis	Book Value
Proposed Sale Value	N/A
Proposed Sale Date	Retain by SA upon approval of LRPMP.
<b>Revenue Generated by Property</b>	
Lease or rental income for the private use of property	See First and Second Amendments to Ground Lease; approximately \$4,200/month
Contractual Requirements	See attached Cinema Place Ground Lease, Cinema Place Parking Maintenance and Easement Agreement, Movie Theater Operation Agreement
<b>History of Environmental Contamination/Remediation</b>	
History of contamination/remediation	Groundwater Remediation underway; Remedial Action Implementation Report approved by CA Regional Water Quality Control Board October 14, 2011; Covenant and Environmental Restriction recorded on property 7/21/2006
<b>Disposition Plan</b>	
History of previous development proposals	N/A
Potential for transit oriented development	Low – property already developed for commercial uses

	and subject to Covenant and Environmental Restriction
Reuse potential/advancement of planning objectives	N/A
<b>Recommended Action</b>	
<p>The Successor Agency will retain Cinema Place to fulfill an enforceable obligation of the Successor Agency. the SA will collect the rent revenues generated under the enforceable obligations encumbering the two Properties and will be required to use the rent revenues it collects exclusively for costs incurred to implement the Former RDA's obligations under the enforceable obligations. As further described in Part I.B above, to the extent the costs incurred to implement the Former RDA's obligations under the enforceable obligations exceed the rent revenues collected by the City, the Successor Agency shall continue to be responsible to fulfill continued obligations of the Former RDA required under the terms of the enforceable obligations until such time as required thereunder. Excess Rent revenues will be distributed as described in Part I.B <i>Enforceable Obligations</i>, above. Once all enforceable obligations are fulfilled, the SA will transfer the property to the City for future development. The City will include the subject property in the compensation agreement that the City will negotiate and execute with the affected taxing entities. The transfer of the property to the City will be subject to the conditions of the existing enforceable obligations and the terms of the compensation agreement with regards to this property will also be subject to the terms of the pre-existing enforceable obligations.</p>	

**Table 6: Property Inventory Sheet for Cinema Place Parking Lot**

	
<b>Property Background and Description (§34191.5(c)(1)(B)-(C))</b>	
Address	22631 Foothill Blvd
APN	428-0066-086
Lot Size	.88 acres
Acquisition Date	May 2002
Purchase Price/Value	\$10,316,723 (acquired with Cinema Place parcel)
Current Zoning	PD: Planned Development
Current Use	Parking structure attached to adjacent commercial development
Purpose of acquisition	This property was acquired to provide parking to complement the redevelopment purposes of the Cinema Place Development.
<b>Estimate of Current Property Value (§34191.5(c)(1)(A))</b>	
Estimated Current Value	\$10,553,747
Date of Estimated Current Value	6/30/2010
Value Basis	Book Value
Proposed Sale Value	N/A
Proposed Sale Date	Retain by SA upon approval of LRPMP.
<b>Revenue Generated by Property</b>	
Lease or rental income for the private use of property	N/A
Contractual Requirements	See attached Cinema Place Ground Lease, Cinema Place Parking Maintenance and Easement Agreement, Movie Theater Operation Agreement
<b>History of Environmental Contamination/Remediation</b>	
History of contamination/remediation	Groundwater Remediation underway; Remedial Action Implementation Report approved by CA Regional Water Quality Control Board October 14, 2011; Covenant and Environmental Restriction recorded on property 7/21/2006
<b>Disposition Plan</b>	
History of previous development proposals	N/A
Potential for transit oriented development	Low – property already developed as multi-level parking

	structure and subject to Covenant and Environmental Restriction
Reuse potential/advancement of planning objectives	N/A
<b>Recommended Action</b>	
<p>The Successor Agency will retain Cinema Place to fulfill an enforceable obligation of the Successor Agency. The Successor Agency shall continue to be responsible to fulfill continued obligations of the Former RDA required under the terms of the enforceable obligations until such time as required thereunder. The City will include the subject property in the compensation agreement that the City will negotiate and execute with the affected taxing entities. Once all enforceable obligations are fulfilled, the SA will transfer the property to the City for future development. The transfer of the property to the City will be subject to the conditions of the pre-existing enforceable obligations and the terms of the compensation agreement with regards to this property will also be subject to the terms of the pre-existing enforceable obligations.</p>	

**Table 7: Property Inventory Sheet for City Hall Structure**

	
<b>Property Background and Description (§34191.5(c)(1)(B)-(C))</b>	
Address	805 B Street
APN	428-0071-049 and 428-0071-050
Lot Size	1.36 acres
Acquisition Date	1998
Purchase Price/Value	\$6,899,639
Current Zoning	CC-R: Central City Residential
Current Use	City Hall parking structure
Purpose of acquisition	This property was acquired to provide public parking.
<b>Estimate of Current Property Value (§34191.5(c)(1)(A))</b>	
Estimated Current Value	\$7,675,165
Date of Estimated Current Value	6/30/2010
Value Basis	Book Value
Proposed Sale Value	Not applicable.
Proposed Sale Date	Transfer to City upon approval of LRPMP.
<b>Revenue Generated by Property</b>	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Unknown
<b>History of Environmental Contamination/Remediation</b>	
History of contamination/remediation	Unknown
<b>Disposition Plan</b>	
History of previous development proposals	N/A
Potential for transit oriented development	Low – property already developed as multi-level parking structure
Reuse potential/advancement of planning objectives	Not applicable.
<b>Recommended Action</b>	
<p>The Successor Agency will transfer the City Hall Structure to the City as a governmental use property for the continued use and operation of a public parking lot. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property.</p>	

**Table 8: Property Inventory Sheet for 22675 Mission (Lot A)**

	
<b>Property Background and Description (§34191.5(c)(1)(B)-(C))</b>	
Address	22675 Mission Blvd
APN	428-0071-018
Lot Size	.14 acres
Acquisition Date	Unknown
Purchase Price/Value	Unknown
Current Zoning	CC-R: Central City Residential
Current Use	Surface Public Parking Lot
Purpose of acquisition	This property was acquired to provide public parking.
<b>Estimate of Current Property Value (§34191.5(c)(1)(A))</b>	
Estimated Current Value	Unknown
Date of Estimated Current Value	N/A
Value Basis	N/A
Proposed Sale Value	Not applicable.
Proposed Sale Date	Transfer to City upon approval of LRPMP.
<b>Revenue Generated by Property</b>	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Unknown
<b>History of Environmental Contamination/Remediation</b>	
History of contamination/remediation	Unknown
<b>Disposition Plan</b>	
History of previous development proposals	The City has been considering proposals to utilize this parcel and the adjacent parcel in order to develop and build a new Main Library. The City Council has tentatively approved these plans pending voter approval of a ballot measure in June 2014.
Potential for transit oriented development	N/A
Reuse potential/advancement of planning objectives	N/A
<b>Recommended Action</b>	
The Successor Agency will transfer 22675 Mission (Lot A) to the City as a governmental use property for the continued use and operation of a public parking lot or potentially as a public library. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or	

other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property.

**Table 9: Property Inventory Sheet for 22695 Mission (Lot B)**

	
<b>Property Background and Description (§34191.5(c)(1)(B)-(C))</b>	
Address	22695 Mission Blvd
APN	428-0071-019
Lot Size	.29 acres
Acquisition Date	Unknown
Purchase Price/Value	Unknown
Current Zoning	CC-R: Central City Residential
Current Use	Surface Public Parking Lot
Purpose of acquisition	This property was acquired to provide public parking.
<b>Estimate of Current Property Value (§34191.5(c)(1)(A))</b>	
Estimated Current Value	Unknown
Date of Estimated Current Value	Unknown
Value Basis	N/A
Proposed Sale Value	Not applicable.
Proposed Sale Date	Transfer to City upon approval of LRPMP.
<b>Revenue Generated by Property</b>	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Unknown
<b>History of Environmental Contamination/Remediation</b>	
History of contamination/remediation	Unknown
<b>Disposition Plan</b>	
History of previous development proposals	The City has been considering proposals to utilize this parcel and the adjacent parcel in order to develop and build a new Main Library. The City Council has tentatively approved these plans pending voter approval of a ballot measure in June 2014.
Potential for transit oriented development	N/A
Reuse potential/advancement of planning objectives	N/A
<b>Recommended Action</b>	
The Successor Agency will transfer 22695 Mission (Lot B) to the City as a governmental use property for the continued use and operation of a public parking lot or potentially as a public library. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property.	

**Table 10: Property Inventory Sheet for 24311 Mission**

	
<b>Property Background and Description (§34191.5(c)(1)(B)-(C))</b>	
Address	24311 Mission Blvd
APN	444-0033-018-01
Lot Size	.14 acres
Acquisition Date	12/22/2008
Purchase Price/Value	\$1,822,415 (total purchase price for 24311, 24321 and 24331 Mission)
Current Zoning	MB-T4-1: MB – Urban General Zone
Current Use	Vacant land
Purpose of acquisition	This property was acquired for future redevelopment.
<b>Estimate of Current Property Value (§34191.5(c)(1)(A))</b>	
Estimated Current Value	\$1,822,415 (total purchase price for 24311, 24321 and 24331 Mission)
Date of Estimated Current Value	September 2008
Value Basis	Appraisal
Proposed Sale Value	Fair Market Value
Proposed Sale Date	To be determined to maximize sale value.
<b>Revenue Generated by Property</b>	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable.
<b>History of Environmental Contamination/Remediation</b>	
History of contamination/remediation	2008 Phase I report recommended limited investigation be performed regarding a possible 1923 underground gas tank in Mission Blvd; potential asbestos materials on site
<b>Disposition Plan</b>	
History of previous development proposals	2004 approval for mixed use project with 3 condominium units and 7,200 sq ft restaurant
Potential for transit oriented development	N/A
Reuse potential/advancement of planning objectives	N/A
<b>Recommended Action</b>	
The Successor Agency will liquidate 24311 Mission and the proceeds of the sale minus the documented costs to the	

Successor Agency for transferring the property will be retained to fulfill enforceable obligations on approved recognized obligation payment schedules or for distribution as property tax to the affected taxing entities, in accordance with the terms of Health and Safety Code Section 34191.5(c)(2)(B).

**Table 11: Property Inventory Sheet for 24321 Mission**

	
<b>Property Background and Description (§34191.5(c)(1)(B)-(C))</b>	
Address	24321 Mission Blvd
APN	444-0033-019
Lot Size	.19 acres
Acquisition Date	12/22/2008
Purchase Price/Value	\$1,822,415 (total purchase price for 24311, 24321 and 24331 Mission)
Current Zoning	MB-T4-1: MB – Urban General Zone
Current Use	Vacant land
Purpose of acquisition	This property was acquired for future redevelopment.
<b>Estimate of Current Property Value (§34191.5(c)(1)(A))</b>	
Estimated Current Value	\$1,822,415 (total purchase price for 24311, 24321 and 24331 Mission)
Date of Estimated Current Value	September 2008
Value Basis	Appraisal
Proposed Sale Value	Fair Market Value
Proposed Sale Date	To be determined to maximize sale value.
<b>Revenue Generated by Property</b>	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable.
<b>History of Environmental Contamination/Remediation</b>	
History of contamination/remediation	2008 Phase I report recommended limited investigation be performed regarding a possible 1923 underground gas tank in Mission Blvd; potential asbestos materials on site
<b>Disposition Plan</b>	
History of previous development proposals	2004 approval for mixed use project with 3 condominium units and 7,200 sq ft restaurant
Potential for transit oriented development	N/A
Reuse potential/advancement of planning objectives	N/A
<b>Recommended Action</b>	
The Successor Agency will liquidate 24321 Mission and the proceeds of the sale minus the documented costs to the	

Successor Agency for transferring the property will be retained to fulfill enforceable obligations on approved recognized obligation payment schedules or for distribution as property tax to the affected taxing entities, in accordance with the terms of Health and Safety Code Section 34191.5(c)(2)(B).

**Table 12: Property Inventory Sheet for 24331 Mission**

	
<b>Property Background and Description (§34191.5(c)(1)(B)-(C))</b>	
Address	24331 Mission Blvd
APN	444-0033-020
Lot Size	.38 acres
Acquisition Date	12/22/2008
Purchase Price/Value	\$1,822,415 (total purchase price for 24311, 24321 and 24331 Mission)
Current Zoning	MB-T4-1: MB – Urban General Zone
Current Use	Vacant land
Purpose of acquisition	This property was acquired for future redevelopment.
<b>Estimate of Current Property Value (§34191.5(c)(1)(A))</b>	
Estimated Current Value	\$1,822,415 (total purchase price for 24311, 24321 and 24331 Mission)
Date of Estimated Current Value	September 2008
Value Basis	Appraisal
Proposed Sale Value	Fair Market Value
Proposed Sale Date	To be determined to maximize sale value.
<b>Revenue Generated by Property</b>	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable.
<b>History of Environmental Contamination/Remediation</b>	
History of contamination/remediation	2008 Phase I report recommended limited investigation be performed regarding a possible 1923 underground gas tank in Mission Blvd; potential asbestos materials on site
<b>Disposition Plan</b>	
History of previous development proposals	2004 approval for mixed use project with 3 condominium units and 7,200 sq ft restaurant
Potential for transit oriented development	N/A
Reuse potential/advancement of planning objectives	N/A
<b>Recommended Action</b>	
The Successor Agency will liquidate 24331 Mission and the proceeds of the sale minus the documented costs to the	

Successor Agency for transferring the property will be retained to fulfill enforceable obligations on approved recognized obligation payment schedules or for distribution as property tax to the affected taxing entities, in accordance with the terms of Health and Safety Code Section 34191.5(c)(2)(B).

**Table 13: Property Inventory Sheet for 24491 Mission**

	
<b>Property Background and Description (§34191.5(c)(1)(B)-(C))</b>	
Address	24491 Mission Blvd
APN	444-0033-023
Lot Size	.41 acres
Acquisition Date	10/17/2008
Purchase Price/Value	\$1,660,616
Current Zoning	MB-T4-1: MB – Urban General Zone
Current Use	Vacant land
Purpose of acquisition	This property was acquired for future redevelopment.
<b>Estimate of Current Property Value (§34191.5(c)(1)(A))</b>	
Estimated Current Value	\$1,660,616
Date of Estimated Current Value	September 2008
Value Basis	Appraisal
Proposed Sale Value	Fair Market Value
Proposed Sale Date	To be determined to maximize sale value.
<b>Revenue Generated by Property</b>	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable.
<b>History of Environmental Contamination/Remediation</b>	
History of contamination/remediation	2008 Phase I assessment recommended further testing for lead-based paint and asbestos material abatement
<b>Disposition Plan</b>	
History of previous development proposals	Unknown
Potential for transit oriented development	Not applicable.
Reuse potential/advancement of planning objectives	Not applicable.
<b>Recommended Action</b>	
The Successor Agency will liquidate 24491 Mission and the proceeds of the sale minus the documented costs to the Successor Agency for transferring the property will be retained to fulfill enforceable obligations on approved recognized obligation payment schedules or for distribution as property tax to the affected taxing entities, in accordance with the terms of Health and Safety Code Section 34191.5(c)(2)(B).	

**Table 14: Property Inventory Sheet for Foothill Lot**

	
<b>Property Background and Description (§34191.5(c)(1)(B)-(C))</b>	
Address	22852 Foothill Blvd
APN	427-0001-031-01
Lot Size	.46 acres
Acquisition Date	Unknown
Purchase Price/Value	Unknown
Current Zoning	CC-C: Central City Commercial
Current Use	Public Plaza/Surface parking lot
Purpose of acquisition	This property was acquired for right of way/public improvement purposes.
<b>Estimate of Current Property Value (§34191.5(c)(1)(A))</b>	
Estimated Current Value	Unknown
Date of Estimated Current Value	Unknown
Value Basis	Unknown
Proposed Sale Value	Not applicable
Proposed Sale Date	Transfer to City upon approval of LRPMP.
<b>Revenue Generated by Property</b>	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Unknown
<b>History of Environmental Contamination/Remediation</b>	
The property is known to be contaminated and in need of remediation.	
<b>Disposition Plan</b>	
History of previous development proposals	Not applicable.
Potential for transit oriented development	Not applicable.
Reuse potential/advancement of planning objectives	Limited due to irregular lot shape, size, and location.
<b>Recommended Action</b>	
The Successor Agency will transfer 22852 Foothill Blvd to the City for future development for the continued use and operation of a public parking lot. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property. The City will include the subject property in the compensation agreement that the City will negotiate and execute with the affected taxing entities.	

**Table 15: Property Inventory Sheet for Russell Parcel A**

	
<b>Property Background and Description (§34191.5(c)(1)(B)-(C))</b>	
Address	1154 Russell Way
APN	415-0240-002
Lot Size	.32 acres
Acquisition Date	Unknown
Purchase Price/Value	\$212,000 (Value of land and improvements of both 1154 and 1166 Russell Way)
Current Zoning	CC-C: Central City Commercial
Current Use	Surface Public Parking Lot
Purpose of acquisition	This property was acquired to provide public parking.
<b>Estimate of Current Property Value (§34191.5(c)(1)(A))</b>	
Estimated Current Value	\$212,000 (Value of land and improvements of both 1154 and 1166 Russell Way)
Date of Estimated Current Value	6/30/2010
Value Basis	Book Value
Proposed Sale Value	Not applicable
Proposed Sale Date	Transfer to City upon approval of LRPMP.
<b>Revenue Generated by Property</b>	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable
<b>History of Environmental Contamination/Remediation</b>	
History of contamination/remediation	Unknown
<b>Disposition Plan</b>	
History of previous development proposals	Not applicable
Potential for transit oriented development	Not applicable
Reuse potential/advancement of planning objectives	Not applicable
<b>Recommended Action</b>	
<p>The Successor Agency will transfer 1154 Russell Way to the City for future development for the continued use and operation of a public parking lot. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the property. The City will include the subject property in the compensation agreement that the City will negotiate and</p>	

execute with the affected taxing entities.

**Table 16: Property Inventory Sheet for Russell Parcel B**

	
<b>Property Background and Description (§34191.5(c)(1)(B)-(C))</b>	
Address	1166 Russell Way
APN	415-0240-003-02
Lot Size	.27 acres
Acquisition Date	Unknown
Purchase Price/Value	\$212,000 (Value of land and improvements of both 1154 and 1166 Russell Way)
Current Zoning	CC-C: Central City Commercial
Current Use	Surface Public Parking lot
Purpose of acquisition	This property was acquired to provide public parking.
<b>Estimate of Current Property Value (§34191.5(c)(1)(A))</b>	
Estimated Current Value	\$212,000 (Value of land and improvements of both 1154 and 1166 Russell Way)
Date of Estimated Current Value	6/30/2010
Value Basis	Book value
Proposed Sale Value	Not applicable
Proposed Sale Date	Transfer to City upon approval of LRPMP.
<b>Revenue Generated by Property</b>	
Lease or rental income for the private use of property	No lease or rental revenue is being generated.
Contractual Requirements	Not applicable
<b>History of Environmental Contamination/Remediation</b>	
History of contamination/remediation	Unknown
<b>Disposition Plan</b>	
History of previous development proposals	Not applicable
Potential for transit oriented development	Not applicable
Reuse potential/advancement of planning objectives	Not applicable
<b>Recommended Action</b>	
The Successor Agency will transfer 1166 Russell Way to the City for future development for the continued use and operation of a public parking lot. So long as a property is retained in the ownership of the City, the Net Proceeds will consist of the lease rental income, use fee income or other income, if any, that may be received by the City with respect to the property minus the documented costs to the City of improvement, operation and maintenance of the	

property. The City will include the subject property in the compensation agreement that the City will negotiate and execute with the affected taxing entities.

APPENDIX A  
LRPMP CHECKLIST

APPENDIX B  
DOF TRACKING WORKSHEET

APPENDIX C

EXCERPT FROM DOF BUDGET SUMMARY

**DATE:** May 19, 2015

**TO:** Chair and Successor Agency Board Members

**FROM:** Assistant City Manager

**SUBJECT:** Approval of an Amendment to a Professional Services Agreement with AMEC Foster Wheeler Environment and Infrastructure, Inc. (AMEC FWEI) for Environmental Remediation Efforts at the Cinema Place Property

### **RECOMMENDATION**

That the Successor Agency Board adopts the attached resolution (Attachment I) authorizing the City Manager to negotiate and execute a contract amendment with AMEC Foster Wheeler Environment and Infrastructure, Inc., for environmental remediation efforts at the Cinema Place Property required under the approved Risk Management Plan.

### **BACKGROUND**

In September 2006, staff identified to the former Redevelopment Agency Board that there were contaminated soil and groundwater issues associated with chlorinated solvents from historic on-site dry cleaning operations at the site of the Cinema Place project (the "Property"). Earlier in 2006, the Regional Water Quality Control Board (RWQCB) approved a Risk Management Plan (RMP) for the Property, which allowed construction to commence with specific procedures outlined for soil handling. Around that time, the RWQCB identified requirements for a more proactive approach to dealing with groundwater contamination issues in general on the Property. Of particular concern was a high level of contamination in the groundwater under the southern portion of the alley which runs from B Street to C Street between the complex and the adjacent existing buildings.

The RWQCB asked for further vertical and horizontal characterization of the extent of the groundwater contamination with borings up to 100 feet deep to obtain groundwater samples and borings up to 40 feet deep for soil samples. At the time, the RWQCB indicated that they would likely require remediation of contamination in the groundwater and the Agency Board amended an existing contract with AMEC E&I to perform the additional investigation and develop remediation options. The RWQCB did in fact approve the Technical Report, Additional Investigation Results and Proposed Remedial Alternative in late 2008.

Between 2008 and 2010, AMEC E&I worked with staff on a pilot program to test the proposed remediation and to determine how best to implement the final groundwater remediation. In December 2010, AMEC E&I presented the draft *Results of Pilot Test and Proposed Final Remedial Action* for City review.

AMEC E&I then submitted a scope of services and cost estimate to perform the activities necessary to implement the Final Remedial Action Plan. This consisted of the installation of zero-valent ion (ZVI) permeable filled borings (PEBs) to treat chlorinated volatile organic compound (COVC)-affected groundwater beneath Parcel 2 of the Property. In March of 2011, the City Council, acting as the Redevelopment Agency Board, approved an agreement with AMEC E&I to perform this remediation work, including the semiannual required groundwater monitoring to assess the performance of the groundwater remedy and to satisfy the groundwater monitoring requirement of the June 2006 *Revised Risk Management Plan (RMP)* for the site.

## **DISCUSSION**

Since 2011, AMEC E&I has been working with former Redevelopment Agency staff and the property owner to complete the remediation work on the Property. The City Council and Oversight Board have previously authorized the continuation of this work and payment of the contract through the Recognized Obligation Payment Schedules approved pursuant to the processes set forth in Health and Safety Code Section 34180(g) and 34177(j). Recently, AMEC E&I underwent a corporate change and is now known as AMEC Foster Wheeler Environment and Infrastructure, Inc., requiring an amendment to their current agreement with the Successor Agency.

In addition, there is additional time needed to complete the remediation work. Staff is requesting authorization to amend the agreement extending the termination date to December 31, 2015. Additionally, there were changes to the Designation of Primary Provider of Services and Notices sections of the contract.

The amendments to the contract do not increase the liabilities of the Successor Agency or otherwise reduce the net revenues available to taxing entities. Moreover, the amendments to the contract are in the best interests of the taxing entities because the amendment will allow for the full completion of the remediation work at the Property as required under the RMP, thereby reducing the potential liability of the Successor Agency resulting from incomplete environmental remediation. It will also reduce the likelihood of future litigation associated with failure to adequately clean-up the Property to the standards required under the RMP.

AMEC Foster Wheeler staff are in the process of completing the No Further Action Case Closure Summary on the property for the RWQCB. This contract extension should allow for the completion and closure of the remediation activities taking place at the Cinema Place site.

## **FISCAL IMPACT**

No additional funding is needed for this request – the amendment requires only a name change of the payee and contract time extension only. The Oversight Board had previously approved payment of this agreement on prior ROPs. There is approximately \$75,700 remaining on this contract. If there are any

unspent funds when the contract work is complete, these funds would ultimately be redistributed to the taxing entities in accordance with the provisions of the Dissolution Statutes.

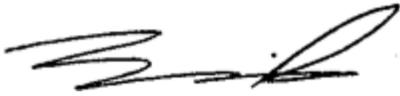
## **NEXT STEPS**

Due to timing and scheduling issues, this amendment was presented to the Oversight Board during a special meeting held on Monday, May 18, 2015. If this resolution is approved by both the Oversight Board and the Successor Agency Board, staff will submit the resolution to the State Department of Finance (DOF) for review and approval. Upon approval of this action from DOF, the City Manager will execute a contract amendment with AMEC E&I, Inc., to complete the services outlined in the scope of work.

*Prepared by:* John Stefanski, Administrative Analyst

*Recommended by:* Kelly McAdoo, Assistant City Manager

Approved by:



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Fran David, City Manager

Attachments:

Attachment I      Resolution

REDEVELOPMENT SUCCESSOR AGENCY OF THE CITY OF HAYWARD

RESOLUTION NO. 15-

Introduced by Agency Member \_\_\_\_\_

RESOLUTION APPROVING AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH AMEC FOSTER WHEELER ENVIRONMENT AND INFRASTRUCTURE INC.

WHEREAS, the Redevelopment Agency of the City of Hayward (the “Former Agency”) was required to remediate groundwater contamination under the Cinema Place property (the “Property”) pursuant to a Risk Management Plan approved in 2006 by the Regional Water Quality Control Board (the “Risk Management Plan”); and

WHEREAS, the Former Agency entered into a professional services agreement with AMEC E&I in 2011 (the “Professional Services Agreement”) to perform the remediation work at the Property as required under the Risk Management Plan; and

WHEREAS, AMEC E&I has undergone a corporate change and is now called AMEC Foster Wheeler Environment & Infrastructure; and

WHEREAS, the Designation of Primary Provider of Services and Notices information in the original contract has changed; and

WHEREAS, additional time is needed to complete the environmental remediation work at the Property required under the Risk Management Plan; and

WHEREAS, AMEC Foster Wheeler staff are in the process of completing a No Further Action Case Closure Summary for the Regional Water Quality Control Board and this contract extension should allow for the completion and closure of the remediation activities taking place at the Cinema Place site; and

WHEREAS, on February 1, 2012, the Former Agency was dissolved pursuant to Assembly Bill x1 26 (the “Dissolution Act”); and

WHEREAS, pursuant to Health and Safety Code Section 34173, the City Council of the City of Hayward (the “City Council”) declared that the City of Hayward, a charter city (the “City”), would act as successor agency (the “Successor Agency”) for the dissolved Redevelopment Agency of the City of Hayward (the “Dissolved Agency”) effective February 1, 2012; and

WHEREAS, pursuant to AB 1484 (“AB 1484”), enacted June 27, 2012 to amend various provisions of the Dissolution Act, the Successor Agency is now declared to be a separate legal entity from the City; and

WHEREAS, pursuant to Health and Safety Code Section 34181, the City Council and Oversight Board must approve amendments to enforceable obligations; and

WHEREAS, the Professional Services Agreement will enable the Successor Agency to expeditiously wind down the affairs of the Former Agency by ensuring that the remediation work required at the Property be completed as required under the Risk Management Plan; and

WHEREAS, by the staff report accompanying the Resolution and incorporated into this Resolution by this reference (“Staff Report”), the Successor Agency Board has been provided supporting information upon which the actions set forth in this Resolution are based.

NOW, THEREFORE, BE IT RESOLVED that the Successor Agency Board hereby finds and determines that the foregoing recitals are true and correct, and together with the following documents and information from the basis for the approvals, authorizations, findings, and determinations set forth in this Resolution: (1) the Staff Report and (2) information provided by the consultant, Successor Agency staff and the public.

BE IT FURTHER RESOLVED that the Successor Agency Board finds and determines that, in conformance with Health and Safety Code Section 34181(e), the amendments to the Professional Services Agreement adopted in this Resolution: (1) do not increase the liabilities of the Successor Agency or reduce the new revenues available to taxing entities; and (2) are in the best interests of the taxing entities because they will allow for the full completion of the remediation work at the Property as required under the Risk Management Plan, thereby reducing the potential liability of the Successor Agency resulting from incomplete environmental remediation and reducing the likelihood of future litigation associated with failure to adequately clean-up the Property to the standards required under the Risk Management Plan.

BE IF FURTHER RESOLVED that the Successor Agency Board authorizes and directs the City Manager to execute the amendment to the Professional Services Agreement on behalf of the Successor Agency to effectuate and implement the terms of this Resolution, in a form approved by the Successor Agency signatory and the Successor Agency Counsel, such approval to be evidenced by the executing of such agreement.

BE IT FURTHER RESOLVED that the Successor Agency is hereby directed to notify the California Department of Finance of the actions set forth in this Resolution in accordance with Health and Safety Code Sections 34179(h).

BE IT FURTHER RESOLVED that this Resolution shall take effect conditioned upon the formal approval of the Department of Finance at the time and in the manner prescribed in Health and Safety Code Section 34179(h).

HAYWARD, CALIFORNIA \_\_\_\_\_, 2015

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
Secretary of the Successor Agency of the City of  
Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
General Counsel

**DATE:** May 19, 2015

**TO:** Mayor and City Council

**FROM:** Economic Development Manager

**SUBJECT:** Economic Development Preliminary Concept Review: Maple & Main Mixed-Use Development

### **RECOMMENDATION**

That the City Council reviews and provides feedback on a project concept for a proposed mixed-use development located at the corner of Maple and Main Streets in Downtown Hayward.

### **BACKGROUND**

The concept review of preliminary project proposals is a service offered through the City's Economic Development Program and is targeted for catalyst developments where upfront feedback from key policymakers would provide beneficial information for project proponents. Since the concept is in a preliminary phase, there are no technical studies or complete plans to evaluate and formulate staff recommendations from a land use entitlement perspective. The purpose of the review is to allow a project proponent to provide Council a basic understanding of what is being proposed and offer the Council an opportunity to provide high-level feedback on the project concepts.

This is not to be considered by either the Council or the proponents as any formal "approval" or "denial" of the project itself, as there is no formal application. Council reserves the right to make an approval or denial determination at a later time as is appropriate during the formal project review process based on project details; and the proponents reserve the right to change the project as it moves through that same project review process.

The proposed Maple and Main Apartments project spans 3.93 gross acres in downtown Hayward. The site is bounded by Maple Court on the east; Main Street on the west; and McKeever Avenue to the North. It is adjacent to commercial buildings fronting A Street to the south. The site currently is developed with a variety of buildings and uses including medical office, the former Bryman College campus, and residential is located along Maple Court and McKeever Avenue. A majority of the site consists of surface parking serving the former school and existing medical offices. An aerial map of the site is included as Attachment I.

According to applicant, the Maple and Main Apartments concept is envisioned as a mixed-used development (residential/office/retail) designed to complement downtown Hayward. The project is composed of one 5-story residential building, wrapping a parking garage structure. The project

includes 235 residential units with three open space courtyards; a club house with fitness facilities, and ground floor retail and leasing office. The residential uses will consist of one, two and three-bedroom apartments with an average unit size of 983 square feet. The applicant proposes a new retail space on Main Street and retention of the existing multi-story office building at the corner of Maple Court and McKeever Avenue. The multi-story office building is approximately 80,000 square feet and would be reduced in size, improved and modernized. The level of improvements and total square footage is still in the development phase.

Additional background material and a statistical summary of the concept produced by the project proponent is provided as Attachment II. At the May 19, 2015 Council meeting, the proponent will present a more detailed summary of the concept.

## **DISCUSSION**

The site is a key economic development opportunity site within Downtown Hayward. The project applicant has acquired or is in contract to purchase a significant portion of the developable block and is looking to move forward with a significant development project. This portion of Main Street north of A Street is a transitional block as you move away from the commercialized downtown. This transition allows for a potential high quality residential project. The unique aspect of the project is the incorporation of the parking garage that is central to both the residential and commercial components of the project. Staff has provided preliminary comments to the project applicant recommending aesthetic interior and exterior enhancements to the existing multi-story office building as the existing condition of the building would not match the proposed quality and type of project that is being proposed.

### **Zoning and Land Use Designation**

The proposed project site is designated in the General Plan as City Center – Retail and Office Commercial. The site is located in the [Central City - Commercial Sub-District \(CC-C\)](#). According to the Zoning Ordinance, the purpose of this sub-district is to establish a mix of business and other activities that will enhance the economic vitality of the downtown area. Permitted activities include, but are not limited to: retail, office, service, lodging, entertainment, education and multi-family residential uses. Residential dwelling units are permitted above first floor commercial uses only.

The following are identified potential policy related issues associated with this proposed concept:

- **Land Use**– The proposed concept adds residential units to the downtown area while altering the site’s physical footprint. Is this type of horizontal mixed-used project appropriate for the site?
- **Project Design** - The architectural design will be a key component of the project given the site’s visible location.
- **Office Building Improvements** –While the proposed concept includes improvements to the existing office building, does the improvements include the exterior and interior upgrades necessary to attract targeted office users to the downtown?
- **Single-Family Home Demolition** – The concept proposes the demolition of a single-family home located on Maple Court. The single-family structure was identified as a potential

historic resource. The project applicant has commissioned a historic analysis of the building and found no historical significance. The issue will need to be evaluated by staff.

- **Environmental Sustainability** – Does the project incorporate sustainability components at the level anticipated to be a high quality project for the City of Hayward?
- **Residential/Commercial Amenities** – Does the project provide adequate amenities for both the residential and commercial tenants?

### **Board and Commission Review**

On May 4, 2015, the proponent solicited initial feedback on the concept from Council Economic Development Committee (CEDC). The CEDC had various comments ranging from the quality of the office building remodel, project amenities for residents and commercial tenants, parking, sustainability features, and the housing market segment the developer was pursuing. In general, CEDC members indicated the project had merit, but needed to enhance the commercial portions of the project including upgrading the existing office building. Specific feedback from the Committee included the following:

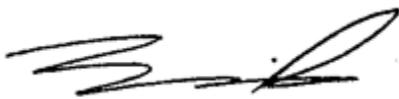
- **Commercial Space** – recommended expanding the footprint and visibility of the retail space to compliment the downtown area.
- **Office Improvements** – stressed the need to improve the existing office building to attract targeted office users and ensure the project demonstrates quality and cohesiveness with the residential portion.
- **Sustainability** – underscored the importance of incorporating energy and water efficient technologies and drought tolerant landscaping.
- **Parking** – emphasized the need to thoroughly examine the project's impact on traffic patterns and parking.

The applicant is currently drafting more detailed plans with an expectation to submit for entitlement review in the near future.

*Prepared by:* Paul Nguyen, Economic Development Specialist

*Recommended by:* Micah Hinkle, Economic Development Manager

Approved by:



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Fran David, City Manager

Attachment:

Attachment I: Site Aerial Map

Attachment II: Maple & Main Apartments Summary

Attachment III: <http://www.hayward-ca.gov/CITY->

[GOVERNMENT/DEPARTMENTS/CITY-CLERK/pdf/2015/Attachment-III.pdf](http://www.hayward-ca.gov/CITY-)



Vicinity Map – Maple and Main

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Pre-Application for  
**Maple & Main  
Apartments**

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City of Hayward, California

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April 22, 2015

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# Pre-Application for **Maple & Main Apartments**

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## **CONTENTS**

- 1.0 Development Team
- 1.1 Site Information
- 1.2 Conceptual Site Plan
- 1.3 Conceptual Architectural and Landscape Plans
- 1.4 Conceptual Floor Plans
- 1.5 Water & Sewer Service Requirements
- 1.6 Site Contamination Issues
- 1.7 Special Studies
- 1.8 Public Funding
- 1.9 Occupancy Classifications
- 1.10 Classification of Buildings

## 1.0 Development Team

The Development Team includes a project developer, architect and a planning and engineering firm. Each of the firms brings a unique set of complementary skills to the Development Team. To follow is the background, experience and contact information for each of the three firms:

### **BAY AREA PROPERTY DEVELOPERS**

Over the last three-and-a-half decades, the principals of Bay Area Property Developers have transformed the art of building residential communities into architectural alchemy—creating a successful formula that has earned them a reputation as a developer of highly individualized luxury multi-family homes and communities. Their efforts have been rewarded handsomely—with numerous accolades for architecture and design, and a ranking in Pro Builder Magazine’s “Top 100 Builders in the Nation” two years running.

The objective of Bay Area Property Developers is to offer a world of selection, flexibility, beauty and responsive service. Their mission is to build notable residential communities and commercial properties throughout the region, and in turn create desirable places for people from all walks of life to live, work, shop and play.

The principals of Bay Area Property Developers have successfully undertaken residential development projects totaling over 20,000 acres and 30,000 lots, homes and apartments, as well as 4 million square feet of commercial and industrial developments located throughout the Monterey Peninsula, San Francisco Bay Area, the Central Valley, Western Nevada and Idaho. Bay Area Property Developers’ extensive development experience encompasses a wide range of residential housing types. In summary, the team has utilized its development expertise on a wide variety of residential and commercial projects over the last 35 years. Their approach to development relies on the day-to-day management by its principals, who are actively involved in every facet of the development process.

### **Contact**

Blake Peters, Vice President  
3400 Eight Mile Road  
Stockton, CA 95212  
t. 650.288.5970

**HUMPHREYS & PARTNERS ARCHITECTS, L.P.**

Humphreys & Partners Architects (HPA) has 25 years of experience with mixed-use urban infill, apartments, and condominiums, from 2-story to high-rise construction. HPA is a nationally recognized multi-family architectural firm and was recently published as the third largest multi-family architectural firm in the country in Architectural Record magazine. HPA has multiple regional offices around the country, and international offices at Dubai, Toronto, Hanoi, and Mote Video.

**Contact**

Soong Kim, Principal Architect  
2350 SE Bristol Street, Suite 310  
Newport Beach, CA 92660  
t. 949.955.9400

**WOOD RODGERS, INC.**

Wood Rodgers is a multidisciplinary engineering firm with office locations in California and Nevada. Founded in 1997, the firm has grown to over 200 staff members by providing the highest level of service and design expertise to our Clients. We offer a range of consulting services including land planning, civil engineering, landscape architecture, surveying, geotechnical, environmental, and structural engineering.

Our experienced staff has successfully completed projects in the areas of site design, municipal infrastructure, and land development. We have worked in a range of markets: residential, commercial, educational, and government. Our multi-disciplinary approach was established to maximize the success of complex projects such as the Maple & Main Apartment project.

Although our projects range from rural to urban, infill to green field, and small to large-scale, all projects are approached with the common goal of creating livable communities with quality neighborhoods that complement the character and culture of the communities they benefit.

**Contact**

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## **1.1 Site Information**

### **LOCATION**

The Maple & Main Apartment project encompasses 3.93+/- gross acres located in downtown Hayward. The site is bounded by Maple Court on the east; Main Street on the west; McKeever Avenue to the north; and A Street to the south. The site covers the majority of one city block, and is within the Downtown Hayward Design Plan area.

### **DESCRIPTION**

The site is currently developed with commercial, office and residential structures, and associated surface parking. The site is mostly flat, and existing trees on the site are mainly along roadways or within landscaped areas around existing buildings.

### **SURROUNDING USES**

The site is surrounded by commercial and retail uses along A Street, Maple Court and Main Street. Residential and Medical Office Uses are located along McKeever Avenue.

### **EXISTING USES**

The site includes a variety of existing uses: commercial, office and residential uses. In general, commercial and office uses are located along A Street, Maple Court and Main Street; residential uses are located along McKeever Avenue. The majority of the site, and located centrally within the block, is underutilized surface parking.

## **1.2 Conceptual Site Plan**

Maple & Main Apartments is envisioned as a mixed-use development that complements downtown Hayward. As such, the development will provide high-quality housing, retail and jobs in close proximity to entertainment, shopping and public transportation.

The project proposes 235 residential units with three outdoor courtyards, a clubhouse with fitness facilities, and ground floor retail and leasing office.

The existing medical office on the corner of Maple Court and McKeever Avenue will be reduced in size and the building will be improved and modernized.

The project is composed of one 5-story residential building, wrapping a covered parking garage. Both 1-, 2- and 3-bedroom apartments are proposed with an average unit size of 983 square feet. A statistical summary is provided below:

**RESIDENTIAL**

<b>Unit Type</b>	<b>Average Size (S.F.)</b>	<b>Number of Units</b>
1 Bedroom	718	104
2 Bedroom	1,086	116
3 Bedroom	1,202	15
<b>TOTAL</b>	<b>983 Average</b>	<b>235 Units</b>

**NON-RESIDENTIAL**

<b>Use</b>	<b>Size (S.F.)</b>
Clubhouse/Fitness	3,600
Leasing Office	1,650
Retail	2,300

**OPEN SPACE**

<b>Use</b>	<b>Size (S.F.)</b>
Courtyard 1	3,720
Courtyard 2	11,460
Courtyard 3	6,200
<u>Perimeter Open Space</u>	<u>12,480</u>
Total Common Open Space	33,860 S.F. (144 S.F./Unit)
Private Open Space	17,390 S.F. (74 S.F./Unit Average)

**PARKING**

<b>Use</b>	<b>Spaces Provided</b>
Residential	338
Bicycle Parking	15
Retail	13
<u>Commercial</u>	<u>142</u>
Total	508 spaces

**1.3 Conceptual Architecture & Landscape Plans**

Refer to the full-size attachments for a conceptual architectural elevation. Landscape plans are not available at this time.

**1.4 Conceptual Floor Plans**

Refer to the site plan provided as part of the full-size attachments. The site plan indicates the proposed building footprint, location of common open space areas and parking garage, and floor plans of residential units.

### 1.5 Water & Sewer Service Requirements

An Existing Conditions Exhibit has been included in the submittal package. The Exhibit shows the location of existing sewer, water and drainage facilities on and surrounding the site. Existing utility information was taken from visual inspection of the site and base maps provided by the City of Hayward. The project team requests the City provide confirmation that the City’s existing water and sewer infrastructure is sufficient to accommodate the proposed project or provide information related to infrastructure improvements necessary to accommodate the proposed project. The following are estimated needs for water and sewer services based on the proposed residential and retail uses.

#### POTABLE WATER

The proposed project anticipates two potable water service connections for the residential units. One service located along the Main Street frontage and one service located along the Maple Street frontage. One additional service is anticipated for the retail component located on Main Street at the southwest corner of the project. The project consists of 235 residential units and 2,300 square feet of retail space. The fixture count for the residential units is shown below:

Plan Designation	# of Units	Fixtures				
		Toilets/Plan	Total Toilets/Plan	Sink/Unit	Total Sink/Unit	Total Fixtures
S	41	1	41	2	82	123
A	53	1	53	2	106	159
B	126	2	252	3	378	630
C	15	2	30	3	45	75
<b>Totals</b>	<b>235</b>		<b>376</b>		<b>611</b>	<b>987</b>

#### SANITARY SEWER

The proposed project anticipates two sanitary sewer service connections for the residential units. One service located along the Main Street frontage and one service located along the Maple Street frontage. One additional service is anticipated for the retail component located on Main Street at the southwest corner of the project.

### 1.6 Site Contamination Issues

The site is not listed on the CalEPA "Hazardous Waste and Substance Site List."

### 1.7 Special Studies

To date, no special studies have been conducted for the site. All necessary studies will be completed as part of the entitlement process.

### 1.8 Public Funding

The Applicant is not requesting any public funding.

### 1.9 Occupancy Classification

The Occupancy Classification are as follows:

<b>Use</b>	<b>Occupancy Classification</b>
Residential	R-2
Retail/Leasing Office	B
Clubhouse/Fitness Center	A-2
Parking Garage	S-2

### 1.10 Classification of Buildings

The classification of the proposed buildings by type of construction is as follows:

<b>Use</b>	<b>Construction Type</b>
Residential	III-A
Retail/Leasing Office	III-A
Clubhouse/Fitness Center	III-A
Parking Garage	I-A