

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-\_\_\_\_\_

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

RESOLUTION PRELIMINARILY APPROVING ENGINEER'S REPORT, DECLARING INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 2022 FOR CONSOLIDATED LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 96-1, ZONES 1-18, AND SETTING JUNE 22, 2021, AS THE PUBLIC HEARING DATE

WHEREAS, 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 7-18 were respectively annexed to the District; and

WHEREAS, SCI Consulting Group is hereby designated as Engineer of Work for purposes of these proceedings and was ordered to prepare an Engineer's Report in accordance with Article 4 of Chapter 1 of the Landscaping and Lighting Act and Article XIID of the California Constitution; and

WHEREAS, 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 2022; and

WHEREAS, it is the intention of the City Council to order the levy and collection of assessments within the District for Fiscal Year 2022; and

WHEREAS, the improvements consist of the construction, operation, maintenance, rehabilitation, and servicing of landscaping, street lighting, open space facilities, parks, trails, and appurtenant (pertaining to something that attaches) 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; and

WHEREAS, 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; and

WHEREAS, the proposed assessments for nine zones (2, 4, 5, 6, 7, 9, 12, 13, 17) are unchanged from the previous year's assessments; and

WHEREAS, the proposed assessment for Zone 18 is less than the previous year's assessments; and

WHEREAS, the proposed assessments for seven zones (1, 3, 8, 10, 11, 14, 16) are more than the previous year's assessments, but below the previously approved Maximum Base Assessment for the zones; and

WHEREAS, 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.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that on June 22, 2021, at the hour of 7:00 p.m., via Zoom, 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.

BE IT FURTHER RESOLVED that the Engineer's Report described herein is hereby deemed sufficient and preliminarily approved and said report shall stand as the report for all subsequent proceedings relating to the proposed levy of District assessments for Fiscal Year 2022.

BE IT FURTHER RESOLVED that 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 \_\_\_\_\_, 2021,

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