

HAYWARD CITY COUNCIL

RESOLUTION NO. 23-_____

Introduced by Council Member _____

RESOLUTION OF INTENTION PRELIMINARILY APPROVING THE ENGINEER'S REPORT; DECLARING INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 2024; AND SETTING JUNE 27, 2023, 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

WHEREAS, 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; and

WHEREAS, the District consists of properties as shown on the Assessment Roll which will be available on file in the Office of the Hayward City Clerk on June 27, 2023; and

WHEREAS, 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).

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

1. SCI Consulting Group is hereby designated as the Engineer of Work for purposes of these proceedings and is hereby ordered to prepare a final Engineer's Report in accordance with Section 10-10.25 of the Hayward Municipal Code.
2. The Engineer's Report has been made, filed with the City Clerk, and duly considered by this City Council and is hereby deemed sufficient and intended to be 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 2024.
3. The proposed assessment for Fiscal Year 2024 is at the maximum base assessment amount of \$243.92 per parcel.

- 4. Reference is hereby made to the aforementioned Engineer’s 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.
- 5. 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.
- 6. On June 27, 2023, at the hour of 7:00 p.m., 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.
- 7. The City Clerk is hereby directed to cause a notice of said meeting and hearing to be made in the form and manner provided by applicable laws.

IN COUNCIL, HAYWARD, CALIFORNIA, June 6, 2023

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