

HAYWARD CITY COUNCIL

RESOLUTION NO. 23-_____

Introduced by Council Member _____

RESOLUTION OF INTENTION PRELIMINARILY APPROVING 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. 2 - EDEN SHORES STORM WATER FACILITIES AND WATER BUFFER

WHEREAS, 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 the three residential tracts 7316, 7360, and 7361 in the Eden Shores development, totaling 534 homes.

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.

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

1. SCI Consulting Group is hereby designated as Engineer of Work for purposes of these proceedings and is hereby ordered to prepare an Final Engineer's Report in accordance with Article XIID of the California Constitution.
2. The Engineer of Work has prepared a Preliminary Engineer's 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 intended to be preliminarily approved. Said report shall stand as the report for all subsequent proceedings related to the proposed levy of District assessments for Fiscal Year 2024.
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 the District for Fiscal Year 2024 is \$264.24, which is an increase from the previous fiscal year's assessment of \$240.22. The maximum base assessment amount for the District is subject to an annual adjustment equal to the

change in the San Francisco-Oakland-Hayward the Consumer Price Index for All Urban Consumers (CPI-U) from the previous year. The maximum base assessment amount for the District for Fiscal Year 2024 has been increased from the previous year's maximum base assessment amount of \$1,069.14 by 5.30%, which is equal to the percentage increase in CPI-U from February 2022 to February 2023. The maximum base assessment amount for the District for Fiscal Year 2024 is \$1,125.80.

- 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.
- 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.
- 7. 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. 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