



DATE: June 4, 2019

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Public Hearing to Consider the Formation of Benefit Zone No. 18 of the Consolidated Landscaping and Lighting Assessment District No. 96-1 for the SoHay Properties

RECOMMENDATION

That the City Council holds a public hearing for the formation of Benefit Zone No. 18 of the City of Hayward Landscaping and Lighting Assessment District No. 96-1 for the SoHay properties. Upon the conclusion of the public input portion of the public hearing, the City Council should close the balloting period and direct the City Clerk to tabulate ballots received and announce results. If majority protest does not exist, the City Council should adopt the attached Resolution (Attachment II).

SUMMARY

The Engineer's Report (Attachment III) for the formation of Benefit Zone No. 18 to Landscaping and Lighting District No. 96-1 ("District") for the SoHay Properties ("Assessment Area") includes the following information: (1) an estimated budget for the Assessment Area; (2) a description of the improvements to be operated, maintained, and serviced by Benefit Zone No. 18 of the District; (3) Special Benefits section including the General Benefit calculation and methodology; and (4) the assessment apportionment and list of the assessments proposed to be levied upon each assessable parcel within the Assessment Area.

BACKGROUND AND DISCUSSION

The Landscaping and Lighting Act of 1972 (Streets and Highways §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.

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 7-16 were individually created and annexed into the District.

SCI Consulting Group was hired to assist the City of Hayward with the formation and annexation of a new benefit zone to the existing Consolidated Landscaping and Lighting District 96-1. The SoHay Properties consists of 400 townhomes, 72 apartment units, 20,000 SF of commercial space and a 1.9-acre park. The formation and annexation of the SoHay properties into Benefit Zone No. 18 of the District is proposed to provide funding for the maintenance and improvements to the SoHay Park, including landscaping, irrigation, and lighting facilities. City staff worked with SCI to prepare the attached documentation, as well as the ballot documents.

On May 7, 2019, the City Council approved the resolution preliminarily approving the Engineer's Report and levy of assessment for FY 2019-20 and setting the public hearing for June 4, 2019. This was the first step in the formation of Benefit Zone No. 18 of the City of Hayward Landscaping and Lighting Assessment District No. 96-1 for the SoHay properties. This action tonight is the final step - to hold the public hearing and approve the Engineer's Report, confirming the diagram of assessment that shows all the properties that are included in the Assessment Area.

The purpose of this Public Hearing is to give all interested parties the opportunity to hear, and have heard, comments regarding the proposed assessments and assessment ballot proceeding. In addition, the balloting period officially closes at the conclusion of the public input portion of today's Public Hearing.

Following the close of the public input portion of the public hearing, the City Council may direct the City Clerk to commence tabulation of all valid ballots that were received prior to the close of the public input portion of the public hearing.

After tabulation is complete, City Council may consider — provided a majority protest does not exist — a resolution to levy the assessments for fiscal year 2019-20.

The annual assessments are based on the following developed rates per Single Family Equivalent (SFE). The maximum FY 2019-20 assessment rate is \$391.84 per Single Family Equivalent (SFE) for Zone A and \$372.24 per SFE for Zone B.

ECONOMIC IMPACT

There is no anticipated economic impact related to this item.

FISCAL IMPACT

There is no anticipated fiscal impact to the City's General Fund related to the formation of the Benefit District or consolidation. Costs associated with the assessment will be funded by the developer of the SoHay properties.

STRATEGIC INITIATIVES

This agenda item is a routine operational item and does not relate to one of the Council's Strategic Initiatives.

PUBLIC CONTACT

On May 24, 2019, a Notice of Public Hearing for the City Council meeting was sent to the property within the project site and published in The Daily Review newspaper.

NEXT STEPS

Assuming the City Council adopts the attached Resolution, it will order the levy and the confirmation of the diagram and assessments prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof.

Immediately upon the adoption of this resolution, but in no event later than the second Monday in August following such adoption for the fiscal year in which the assessments will initially be levied, the Council shall file a certified copy of the assessments and a certified copy of this resolution with the Auditor of the County of Alameda. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of assessment thereupon as shown in the assessment roll. The assessments shall be collected at the same time and in the same manner as County property taxes are collected and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments. After collection by the County, the net amount of the assessments, after deduction of any compensation due the County for collection, shall be paid to shall be paid to Benefit Zone No. 18 of the Landscaping and Lighting Assessment District 96-1 of the City of Hayward.

Prepared by: Allen Baquilar, PE, Senior Civil Engineer

Recommended by: Laura Simpson, Development Services Director

Approved by:

A handwritten signature in black ink, appearing to read 'Kelly McAdoo', written over a horizontal line.

Kelly McAdoo, City Manager