

HAYWARD CITY COUNCIL

RESOLUTION NO. 18-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE DOWNTOWN HAYWARD IMPROVEMENT ASSOCIATION (DHIA), NON-PROFIT PUBLIC BENEFIT CORPORATION, AND TO APPOINT CITY STAFF TO THE DOWNTOWN HAYWARD IMPROVEMENT ASSOCIATION BOARD

WHEREAS, On May 15, 2018, Council adopted Resolution of Intent 18-080 to form the Downtown Hayward Community Benefit District (CBD), and approved the Management District Plan and Engineer's Report; and

WHEREAS, On July 10, 2018, Council adopted resolution 18-151 approving the formation of the CBD, and levying special property tax assessments as authorized by the property owners that will be used to fund enhanced services; and

WHEREAS, On October 2, 2018 Council adopted Resolution 18-208, authorizing the City Manager to execute a professional services agreement with New City America to serve as interim administrators of the Hayward Downtown Community Benefit District; and

WHEREAS, The interim Board of Directors has registered the Downtown Hayward Improvement Association (DHIA) with the Secretary of State of California Articles of Incorporation for a Non-profit Public Benefit Corporation, and have been assigned entity number C4194690; and

WHEREAS, The responsibility of the DHIA is to implement the District Plan by creating a District budget, establishing policies to comply with the District Plan, prepare and file quarterly and annual reports with the City verifying compliance with the District Plan, and oversee the day to day implementation of the District Plan Improvements; and

WHEREAS, A Management and Disbursement Agreement by and between the City of Hayward and The Downtown Hayward Improvement Association which defines roles and responsibilities between agreement parties, has been recommended and drafted in partnership with the Office of City Attorney and New City America, Inc.; and

WHEREAS, The City of Hayward has an integral and vested interest to the property-based district as the single largest property owner, and as the largest stakeholder within the CBD

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes the City Manager to negotiate and execute a Management and Disbursement Agreement with The Downtown Hayward Improvement Association, Non-Profit Public Benefit Corporation; and

BE IT FURTHER RESOLVED, the City Council of the City of Hayward further authorizes the City Manager to appoint City staff, as primary and alternate Board of Director members to the Downtown Hayward Improvement Association.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2018

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