

HAYWARD CITY COUNCIL

RESOLUTION NO. 18-096

Introduced by Council Member Márquez

RESOLUTION OF INTENTION PRELIMINARILY APPROVING ENGINEER'S REPORT, DECLARING INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 2019, AND SETTING JUNE 19, 2018 AS THE PUBLIC HEARING DATE CONCERNING MAINTENANCE DISTRICT NO. 2 - EDEN SHORES STORM WATER FACILITIES AND WATER BUFFER

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

1. 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. The District consists of the properties as shown on the Assessment Roll on file in the office of the Hayward City Clerk.
2. 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 XIIID of the California Constitution.
3. The Engineer of Work has prepared a 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 preliminarily approved. Said report shall stand as the report for all subsequent proceedings related to the proposed levy of District assessments for Fiscal Year 2019.
4. 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).
5. The proposed assessment for the District for Fiscal Year 2019 is \$198.95, which is the same amount as the previous fiscal year's assessment. The maximum base assessment amount for the District is subject to an annual adjustment equal to the change in the San Francisco-Oakland-San Jose MSA Consumer Price Index for All Urban Consumers (CPI-U) from the previous year. The maximum base assessment amount for the District for

Fiscal Year 2019 has been increased from the previous year's maximum base assessment amount of \$906.59 by 3.60%, which is equal to the percentage increase in CPI-U from February 2017 to February 2018. The maximum base assessment amount for the District for Fiscal Year 2019 is \$939.23.

6. 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.
7. On June 19, 2018, at the hour of 7:00 p.m., in the regular meeting place of this City Council, City Council Chambers, 777 B Street, Hayward, California, a public hearing will be held on the levy of the proposed assessment.
8. 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.
9. 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 5, 2018.

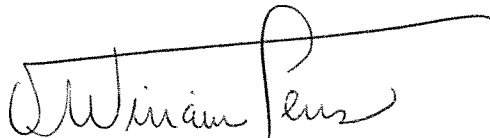
ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Zermeno, Márquez, Mendall Peixoto, Lamnin, Salinas  
MAYOR: Halliday

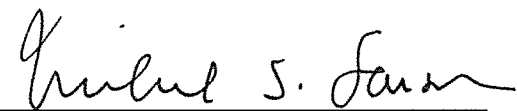
NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ATTEST:   
City Clerk of the City of Hayward

APPROVED AS TO FORM:

  
City Attorney of the City of Hayward