



DATE: May 7, 2019

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Resolution to Preliminarily Approve the Engineer's Report and set the Public Hearing Date for Annexing the SoHay Properties into Consolidated Landscaping and Lighting District 96-1

RECOMMENDATION

That the City Council adopts a Resolution (Attachment II) to preliminarily approve the Engineer's Report, set the public hearing date, and order the mailing of ballots for annexing the SoHay Properties into the Consolidated Landscaping and Lighting District 96-1.

SUMMARY

If adopted, this resolution preliminarily approves the Engineer's Report, sets the public hearing date for June 4, 2019, and orders the mailing of ballots for annexing the SoHay Properties to Benefit Zone No. 18 of Consolidated Landscaping and Lighting District 96-1.

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 development is located on 25 acres across various parcels located on the northwestern corner of Mission Boulevard and Industrial Parkway (see Attachment IV Vicinity Map) and consists of 472 residential units, 20,000 square feet of ground floor retail space, and a 1.9-acre public park. The formation and annexation of SoHay properties into Benefit Zone No. 18 of the District is proposed to provide funding for operations maintenance and servicing of landscaping and lighting improvements to the new 1.9-acre public park. The Engineer's Report (ER) for the formation and annexation of SoHay property ("Assessment Area") to Consolidated Landscaping and Lighting District No. 96-1 ("District") is included as

Attachment III and 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 the District; (3) a 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.

FISCAL AND ECONOMIC IMPACT

There is no economic or fiscal impact to the City's General Fund from this recommendation because expenditures are to be paid for by the developer of SoHay.

STRATEGIC INITIATIVES

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

NEXT STEPS

Assuming the City Council adopts the attached Resolution, it will preliminarily approve the Engineer's Report and initiate the balloting procedures required by Proposition 218.

A ballot will be mailed on May 8, 2019 to the property owner within the proposed annexation. A Waiver of the 45 Day Balloting Period required by law will also be sent on May 8, 2019 (this balloting period may be waived if there is only one property owner).

If the property owner elects to proceed with the Waiver, this will remove the need for the 45-day balloting period and allow the City Council to consider final approval of the Engineer's Report and a Resolution to Levy Assessments at a Public Hearing on the next available City Council meeting agenda.

A noticed Public Hearing will be held on June 4, 2019. At the hearing, the property owner within the Annexation Area will have an opportunity to raise concerns about assessments. Following the conclusion of the public input portion of the public hearing, the Council will order the close of the balloting and commence tabulation of the results. After tabulation of the ballots is completed, the Council may consider — provided a majority protest does not exist — a Resolution to Levy the Assessments for fiscal year 2019-20.

Prepared by: Allen Baquilar, PE, Senior Civil Engineer

Recommended by: Laura Simpson, Development Services Director

Approved by:



Kelly McAdoo, City Manager