



DATE: November 2, 2021

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Accepting Easements for Public Road Rights-of-Way in the Old Highlands Homeowner Association (OHHA) to Facilitate the First Phase of Road Improvements

RECOMMENDATION

That the Council adopts a resolution (Attachment II) accepting easements for public road rights-of-way in the Old Highlands Area for the first phase of the OHHA assessment district road improvements.

SUMMARY

On February 2, 2021, the Council conducted a Proposition 218 hearing regarding assessments for the Old Highlands Area Road Improvement District. The assessment was approved by the property owners within the district. The Council must accept easements for public road rights-of-way prior to commencing the first phase of improvements.

BACKGROUND

On December 8, 2020¹, the Council adopted Resolutions No. 20- 216 and No. 20- 217, initiating proceedings pursuant to Streets and Highways Code Sec. 1160 et. seq., and Proposition 218 (California Constitution Article XIIC and XIID; Government Code Section 53753) for creation of the Old Highlands Area Road Improvement Assessment District (District). On February 2, 2021, the Council conducted a Proposition 218 hearing regarding assessments for the District. The assessment was approved by the property owners within the District.

DISCUSSION

The Old Highland area was annexed to the City in 1963 and at that time, the 6.12 miles of streets within the Old Highland area were not brought up to City standards upon annexation

¹ <https://hayward.legistar.com/LegislationDetail.aspx?ID=4711817&GUID=B3F09AA4-AAC0-4CD9-84D5-D6AFAEE8EB41&Options=&Search=>

and have not been regularly or routinely maintained. When the subdivision was initially approved by the County, the subdivider dedicated roads within the subdivision as public roads. After annexation, certain streets remained unaccepted by the County and remained private right-of-way. City staff has identified streets that remained private right-of-way after annexation. Please refer to Exhibit A of the resolution (Attachment III) for the specific list of addresses from which easements are to be accepted. The Council must accept easements for public road rights-of-way prior to commencing the first phase of improvements.

ECONOMIC IMPACT

There is no economic impact associated with this item.

FISCAL IMPACT

There is no anticipated fiscal impact associated with acceptance of these easements other than the financial commitment previously made regarding the City's share of costs toward the roadway improvements.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of Improve Infrastructure. Specifically, this item relates to the implementation of the following projects:

- Project 5: Maintain and improve pavement
 - Part 5.a: Maintain Pavement Condition Index (PCI) at 70.
 - Part 5.b: Prepare OHHA pavement improvement program design and financing structure.
 - Part 5.c: Construct various OHHA pavement improvements

SUSTAINABILITY FEATURES

The project will involve pavement improvement, which will require contractors to recycle all construction and demolition debris as a result of the project.

NEXT STEPS

Upon acceptance of the public road rights-of-way, staff will commence with the first phase of improvements.

Prepared by: Kathy Garcia, Deputy Public Works Director

Recommended by: Alex Ameri, Public Works Director

Approved by:



Kelly McAdoo, City Manager